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COMMENTARY

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Prague Trial: Text and Commentary
The First Step Toward "One Europe" — HERBERT LUETHY
Medical School Quotas and National Health — LAWRENCE BLOOMGARDEN
How Live by Jewish Law Today? — HANS JOACHIM SCHOEPS
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The Study of Man—
How to Be a Parent—and Stay Sane — J. GLENN GRAY

BOOKS IN REVIEW

Ial Lehrman — Ruth Glazer — Oliver Snyder
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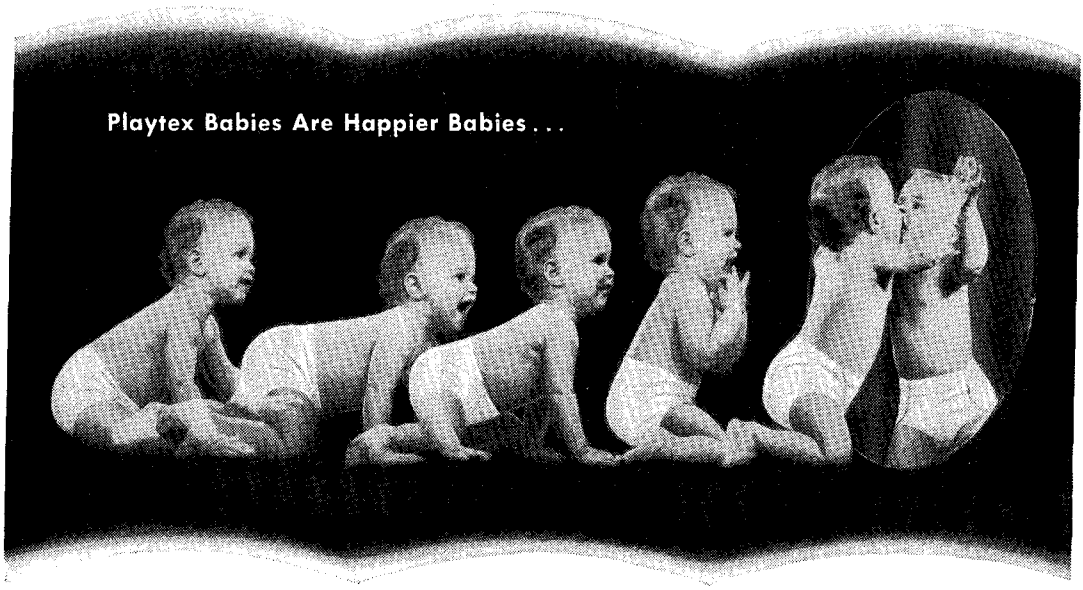

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IN FORTHCOMING ISSUES OF

COMMENTARY

Are We Israelis Still Jews? *Ernst Simon*

Dr. Simon, eminent Israeli philosopher of Judaism and of education, soberly describes how the heirs of the decadence of "Catholic" Judaism (Orthodoxy)—among them most prominently those who see in the creation of the State of Israel a solution to religious problems—contend over the development of religion in Israel. Perhaps a "Protestant" Judaism, he suggests, in which religion is individual and divided from the state, offers the best hope for a revival of Judaism.

"Commentary" on the American Scene *David Riesman*

Using for text the twenty COMMENTARY pieces on the American scene in the forthcoming anthology on Jewish life in America (to be published in February by Alfred A. Knopf), that unacademic social scientist David Riesman tries to trace the various stages of Jewish self-awareness and acceptance in this country.

Soviet Peace Offers and East-West Conflict *Sidney Hertzberg*

Unhappy misgivings were the mildest emotion at sober breakfast tables recently when it was seen that the most distinguished correspondent on America's most conscientious newspaper had added his name to the roll of innocently inquiring reporters who have lent their names and papers to float another of Stalin's periodic peace balloons. Sidney Hertzberg, well-known analyst of contemporary history in the making, turns a cool eye on this latest diplomatic démarche, in the perspective of historic experience and present crisis.

Behind Anti-Americanism in Germany *Norbert Muhlen*

What forms does anti-Americanism take in Germany, East and West? What motivates it, and what can we do about it? Norbert Muhlen offers a close-up of a troubled people in a key position to make more trouble for themselves and the rest of us.

Civil Rights, 1932-52: Trial Balance *Scott Fowler*

A balance sheet on the achievements and failures of the Democratic administration in the field of civil rights, with a glance ahead at the intentions and plans of the Republicans.

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COMMENTARY

STALIN FOLLOWS IN HITLER'S FOOTSTEPS

PETER MEYER

ON NOVEMBER 20, 1952, a shudder of horror and apprehension ran through the civilized world such as it had not felt since the night of another November, in 1938, when the synagogues of Germany were put to the torch.

On that day fourteen leading Communists of Czechoslovakia, eleven of whom were "of Jewish origin"—as the official indictment puts it—were openly charged in a Prague courtroom with participating in a worldwide "Jewish nationalist-Zionist-imperialist" conspiracy to overthrow the "People's Democracy" of Czechoslovakia. Once again the Big Lie of the Protocols of the Elders of Zion was being exploited as an advance justification for aggression and genocide.

On November 27, eleven of the accused were sentenced to the gallows; the remaining three were sentenced to life imprisonment.

On December 3, the eleven were hanged.

Part I below is a selection from the official accounts of the trial proceedings. In Part II, following, I offer an analysis of the Prague trial's significance.—P. M.

I. The Prague Trial: Text

This text, except for that of the indictment, is from the official Prague radio broadcast of the testimony of the defendants and witnesses, interspersed with summaries and comment by the government's radio commentator; no Western correspondent was allowed to enter Czechoslovakia. (Words in brackets are mine; doubtful words are given in parentheses.)

From the Indictment

[*As printed in the Czech Communist Daily* Rude Pravo, *November 20, 1952.*]

. . . For the reasons cited above,

RUDOLF SLANSKY, born in 1901, of Jewish origin, from a merchant's family . . . former Secretary General of the Communist Party of Czechoslovakia, at the time of his arrest Deputy Premier of the Czechoslovak government;

BEDRICH GEMINDER, born November 19, 1901, of Jewish origin, son of a merchant and tavern-keeper . . . former chief of the International Department in the Secretariat of the CPCz;

LUDVIK FREJKA, born January 15, 1904, of Jewish origin, son of a physician . . . former head of the Economic Department in the office of the President of the Republic;

JOSEF FRANK, born February 1909, Czech, from a worker's family . . . former Deputy Secretary General of the CPCz;

VLADIMIR CLEMENTIS, born September 20, 1902, Slovak, from a bourgeois family . . . former Minister of Foreign Affairs;

BEDRICH REICIN, born September 29, 1911, of Jewish origin, from a bourgeois family . . . former Deputy Minister of National Defense;

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KAREL SVAB, born May 13, 1904, Czech, from a worker's family . . . former Deputy Minister of National Security;

ARTUR LONDON, born February 1, 1915, of Jewish origin, son of a businessman . . . former Deputy Minister of Foreign Affairs;

VAVRO HAJDU, born August 18, 1913, of Jewish origin, son of the owner of the Smrdaky Spa . . . former Deputy Minister of Foreign Affairs;

EVZEN LOEBL, born May 14, 1907, of Jewish origin, son of a big merchant . . . former Deputy Minister of Foreign Trade;

RUDOLF MARGOLIUS, born August 31, 1913, of Jewish origin, son of a big merchant . . . former Deputy Minister of Foreign Trade;

OTTO FISCHL, born August 17, 1902, of Jewish origin, son of a merchant . . . former Deputy Minister of Finance;

OTTO SLING, born August 24, 1912, of Jewish origin, son of a manufacturer . . . former Secretary of the District Committee of the CPCz in Brno; [and]

ANDRÉ SIMONE, born May 27, 1895, of Jewish origin, son of a manufacturer, former editor of *Rude Pravo,*

are hereby charged:

1. Each and every one with having participated in a conspiracy, among themselves and with other persons, to subvert the independence of the Republic and its people's democratic state form guaranteed by the constitution, and with having gravely imperiled the existence of the Republic. . . .

[*Here follow charges of espionage, treason, sabotage, etc. The indictment continues at some length, but we give below only a brief excerpt touching Rudolf Slansky.*]

IN THE early 30's, Slansky became an agent of the American espionage service and collaborated with a leading American spy, Geiringer-Granville, a representative of international Zionism. An outstanding British spy, Josef Vondracek, testified about the espionage link between Slansky and Granville as follows: "'I have,' said Granville, 'a close espionage liaison, among others, with Rudla Slansky, the Secretary of the Communist party of Czechoslovakia. This is our most solid asset because he is the most intelligent Jew I know, and an exceedingly talented and patient man. He knows how to wait, therefore he is very useful for the realization of our long-term plans. And our plans are not for today or tomorrow.'"

What the imperialists hoped to achieve through their agent inside the Communist party of Czechoslovakia was well expressed by the Czechoslovak capitalist Alfred Pachner, in a conversation with Vondracek. According to Vondracek, Pachner said: "'Rudla' [Slansky] is in the Communist party and in the right place. He comes from an old Jewish family, has a great many connections in the Czech party, and extensive knowledge. He is the great hope of the Jews in the Communist party." . . .

Defendant Rudolf Slansky

Former Secretary General of the Communist Party of Czechoslovakia

PRESIDING JUDGE: "Accused Slansky, step before the microphone. Are you guilty of the four described criminal acts?"

SLANSKY: "Yes."

PRESIDING JUDGE: "The first crime is espionage."

SLANSKY: "Yes."

PRESIDING JUDGE: "High treason."

SLANSKY: "Yes."

PRESIDING JUDGE: "Sabotage."

SLANSKY: "Yes."

PRESIDING JUDGE: "Military treason."

SLANSKY: "Yes."

PRESIDING JUDGE: "Will you please tell us in what respect you admit your guilt?"

SLANSKY: "First of all I wish to confess my guilt that, as the enemy of the Communist party and the People's Democratic regime, I formed the anti-state conspiratorial center at the head of which I stood for several years." . . .

PRESIDING JUDGE: "How is it that you, who have been a member of the Czechoslovak Communist party for thirty years, could become a servant of the imperialists and the organizer

---

PETER MEYER, *a frequent contributor to* COMMENTARY, *is an authority on Central European politics and international Communism. In his article "The Jewish Purge in the Satellite Countries," which appeared in our pages early last fall (September 1952), Mr. Meyer predicted what has since come to pass. In that article he wrote: "Under the pressure of the inner conflicts created by the totalitarian society, the discarded weapon of anti-Semitism has again to be enlisted in the protection of the state." Mr. Meyer's earlier contributions to* COMMENTARY *include "Tito's Threat to Stalin's Empire" (June 1950) and "The Driving Force Behind Soviet Imperialism" (March 1952).*

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and leader of a conspiracy against the Czechoslovak People's Democratic Republic?"

In reply to this question Slansky gave an outline of his origins and political past. He said he came from a bourgeois family of a rich village merchant and this had influenced his "personal traits and character." In 1921 he joined the Communist party still burdened with "petty bourgeois opinions, which I never abandoned. This prevented me from becoming a real Communist. Therefore I did not act as a Communist, and I did not fulfill honorably the duties arising from my membership in the Communist party." . . .

The Prosecutor . . . asked Slansky to explain how his center of conspiracy "was linked with the Western imperialist powers or imperialist circles and in what manner these circles directed the activities of the center." Slansky said one link had been the various people who at different times had become agents of the imperialist intelligence service of Great Britain, the United States, France, and Yugoslavia. Another link had been diverse organizations such as the Zionists and Freemasons—all interconnected and ruled by the Anglo-U.S. imperialists. . . .

The Prosecutor then asked Slansky to elaborate his admission that he had placed Zionists in important posts. Slansky explained that he did so "because the Zionists were conducting hostile activity aimed at the liquidation of the popular democratic regime in Czechoslovakia. I collaborated with them and I placed various Zionist elements into important posts in the administrative, economic, and party apparatus." . . .

The significance of this, he said, lay in the fact that Zionist organizations in Czechoslovakia were in turn connected with similar Zionist organizations in the capitalist countries. "The whole worldwide Zionist movement was, in fact, led and ruled by the imperialists—in particular the U.S. imperialists through the American Zionists. For American Zionists, who as in other countries are the financially most powerful and politically most influential Zionists, form part of the ruling imperialist circles of America."

The Zionist organization, moreover, was a channel through which the imperialists carried out extensive espionage and subversive work in Czechoslovakia. The "Joint" organization [American Jewish Joint Distribution Committee] in Prague was "a branch of the American Zionists" and played an important part in various hostile machinations. One of these was "the abuse of the emigration scheme under which Jewish citizens left for the capitalist countries, thereby removing from Czechoslovakia unjustifiably large property values and causing grave economic damage."

Slansky admitted that he [tolerated] the legal existence in Czechoslovakia, both before and after February 1948, of these nationalist bourgeois Zionist organizations. Though his attention was drawn to the hostile work conducted by them he protected them: "I deliberately shielded them by perverting the campaign against so-called anti-Semitism. By proposing that a big campaign be waged against anti-Semitism, by magnifying the danger of anti-Semitism, and by proposing various measures against anti-Semitism—such as the writing of articles, the publication of pamphlets, the holding of lectures, and so forth—I criminally prevented the waging of a campaign against Zionism and the revelation of the hostile character of Zionist ideology, and the unmasking of the hostile activity of Zionists and Zionist organizations."

Slansky said he had discussed these matters with Geminder, Svermova, Frank, and others. In addition to the campaign against anti-Semitism there had also been a press publicity drive for the State of Israel without its being pointed out that Israel was a bourgeois state and in fact represented the most advanced outpost of the American imperialists in the Near East. "I deliberately shielded Zionism by publicly speaking out against the people who pointed to the hostile activities of Zionists and by describing these people as anti-Semites—just as did my collaborators—so that these people were in the end prosecuted and persecuted and sometimes even excluded from the party, as happened to certain members of the Central Secretariat. I thus created an atmosphere in which people were afraid—even prominent officials in the state apparatus—to oppose Zionism and Zionist organizations."

With regard to the emigration scheme—in which Geminder as [well as] Fischl played important parts—he had condoned the exportation from Czechoslovakia of excessive quantities of valuable property. In this he and his group collaborated with members of the Israeli delegation, such as the Israeli Minister Ueberall, "who is in fact an agent of the U.S. imperialists."

Another field in which his conspiratorial group worked through the Zionists was foreign trade. Here Loebl and Margolius played important parts. Czechoslovak foreign trade was misused to the advantage of Zionist organizations at home and abroad, thereby supporting the bourgeois State of Israel. Czechoslovakia suffered economic damage as a result of her goods being sold at unfavorable prices, lower

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than in the capitalist market, while manufactures from capitalist countries were imported at high prices. Huge profits went to Zionist organizations and benefited Israel. . . .

PROSECUTOR: "In your subversive activities have you also made use of other organizations?"

SLANSKY: "Yes."

PROSECUTOR: "Which were they?"

SLANSKY: "Freemasons. The anti-state conspiratorial center made use in their activities of Zionist organizations as well as Freemasons and their lodges. I myself had connections with Freemasons, for example with Ing. Machon and Dr. Vancura, who were outstanding officials of Freemason lodges." . . .

In the field of foreign trade Slansky and his associates also had done their utmost to organize sabotage and cause damage. . . . Owing to their Zionist convictions, these associates cooperated with various American agents and endeavored to link the Czechoslovak economy to the capitalist West; machinery and equipment was bought in the capitalist West although it could have been supplied at more favorable prices by the USSR. . . .

In reply to the Prosecutor's questions about his anti-state activities other than those mentioned in his evidence today, Slansky said: "In my hostile activities I relied on the support of various hostile organizations such as the Zionists and Freemasons and on hostile elements among partisans, false trade unionists, and so forth." . . .

PROSECUTOR: "Further, it is clear from the evidence you have given that you formed an anti-state conspiratorial center which was preparing the overthrow of the People's Democratic regime and the restoration of capitalism, and that you carried on these activities in the service of the Western imperialists and primarily in the service of the U.S. aspirants to world domination—"

SLANSKY: "I admit this."

PROSECUTOR: "—in order to become a Czechoslovak Tito. Is this so?"

SLANSKY: "Yes."

Defendant Vlado Clementis

Former Foreign Minister of Czechoslovakia

PROSECUTOR: "I put it to you that you became a traitor to the Czechoslovak people just like your friends who held these same opinions."

CLEMENTIS: "I admit that."

PROSECUTOR: "Who were these people who joined forces with English reactionaries?"

CLEMENTIS: "Above all, the Jewish bourgeois nationalists such as Otto Sling, Evzen Loebl, Ervin Polak, Richard Slansky, Vilem Novy and others who later, thanks to their hostile connections, attained important positions in Czechoslovakia. Also the cosmopolite Koloman Mosko, who acted as liaison between our Jewish bourgeois nationalists and similar groups in the Hungarian Communist party which were exposed in connection with the Rajk trial. The Jewish bourgeois nationalists in London also rallied round Ludvik Frejka. Of this group I know Josef Goldmann and Dr. Jancik-Jung, and others. . . .

"Following the instructions and example of Benes and Masaryk, I established espionage links with Nichols [*the British Ambassador*] and Steinhardt immediately after my return to Prague in 1945. On his first visit Nichols assured me of his confidence and later repeated this when he brought me a personal letter from Bevin thanking me for a telegram of congratulations which I had sent him on his appointment as Foreign Secretary. . . .

"I want to emphasize that while the French and English showed interest in political questions, Steinhardt concerned himself mainly with economic problems and with questions affecting international organizations under U.S. influence, such as the ILO, the International Fund, the World Bank, and others. I passed on espionage information to Steinhardt through Loebl. With his aid I strengthened Steinhardt's position in Czechoslovakia. Steinhardt also paid attention to his private affairs in Czechoslovakia as partner of a New York law firm. In 1948 Steinhardt approached me several times on behalf of the notorious warmonger, John Foster Dulles, and tried to make me take steps to insure the payment of compensation for the nationalized property of the well-known Petschek banking family. John Foster Dulles, who became notorious through his advocacy of German bankers during World War I and who is also known for his dirty bargains with Nazi bankers during World War II, was the lawyer entrusted with representing the Petschek interests." . . .

The State Prosecutor then proceeded to accuse Clementis of having established hostile contacts with the agent of Western espionage services André Simone, of whose close relations with Slansky Clementis had been aware.

Asked to describe Simone, Clementis said: "I became personally acquainted with Simone in Paris in 1938. Already at that time while having conversations with him, I learned about his vast connections with the representatives

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of the world capitalist press and of his connections with the West. After the war, his entire orientation can be described as typically cosmopolitan." . . .

Witness Eduard Goldstuecker

Former Czech Minister to Israel

THE third witness was Dr. Eduard Goldstuecker, who described his role of go-between [for] Slansky and "the agent of the British Intelligence Service, Konni Zilliacus." His relations with Slansky, he explained, went back to 1946 when Slansky's attention had been drawn to Goldstuecker's "Jewish bourgeois origin" and his "connections with various enemy elements in the West." Slansky advised him to change his name to Zlatisty. . . .

Regarding his appointment as Minister to Israel, Goldstuecker said Slansky told him that he had been given this post because "I have proved myself in England and because I had worked well in accordance with his instructions." On his arrival in Israel at the beginning of 1950, Goldstuecker had established contact with leading Zionists and he had sent reports to Slansky through Geminder about his relations with these Zionist leaders.

In the summer of 1949, he had contacted Ehud Avriel Ueberall, the Israeli Minister in Prague, and "later this relationship culminated in an espionage link under the influence of Slansky." Goldstuecker, who described himself as of bourgeois Jewish origin, then told of his aid to Jewish nationalists whom he had helped to return from Israel to Czechoslovakia to enable them to hold responsible positions in our economic affairs. . . .

Witness Mordecai Oren

AFTER Kavan, there appeared before the State Court a small man—an international apache type—Mordecai Oren. [*Also known as Orenstein, an Israeli citizen and a leader of the Mapam party. He was arrested in Czechoslovakia at the beginning of 1952.*] He was described as a Zionist, British, and Titoite agent. . . .

The witness was then asked how he had come into possession of papers concerning Slansky's views, which were found on Oren when he was arrested. Oren explained that he secured those papers in Prague in 1951 when, apart from working for the British Intelligence Service, he got these papers at the express orders of the Israeli Foreign Minister through the Israeli Minister in Prague. Evidently the Israeli government had been perturbed at Slansky's arrest. The witness was glad to accept these instructions but failed to procure the required information before he was arrested. . . .

Witness Oskar Langer

Former Employee of the Secretariat of the Slovak Communist Party.

THE next witness was Oskar Langer, who had been employed in various functions, first at the Regional Directorate of Building in Bratislava, then at the Commissariat of Food and later in the Slovak Communist party secretariat. He told the court that he returned to Czechoslovakia in 1946 from the United States where he had been living with his family since 1938. He returned because he had been sent to Czechoslovakia by the U.S. Zionists to work against the People's Democratic regime. On his return, he visited the leading Czechoslovak Zionist, Winterstein, who had close connections with the Embassy in Prague.

Winterstein told the witness he had been working on drafting the Czechoslovak Restitution Law and that Slansky had promised to support this law. Its purpose was to concentrate the property of the Jews who had returned from the concentration camps, as well as those who had not returned, in Zionist hands, and in this way the Zionists intended, with Slansky's help, to strengthen and extend their economic power in Czecholovakia.

The Zionist activities had been directed toward weakening the Czechoslovak economy by sending important machinery abroad. The witness himself had been directed to authorize the export of certain machinery on behalf of two Zionist manufacturers. He knew of a Zionist who intended to emigrate to Israel and who had been permitted, on Slansky's intervention, to take with him important machinery and tools. . . .

Defendant Bedrich Geminder

Former Chief of the International Department of the Communist Party of Czechoslovakia

PROSECUTOR: "You never learned to speak decent Czech?"

GEMINDER: "That's right."

PROSECUTOR: "Which language do you speak usually?"

GEMINDER: "German."

PROSECUTOR: "Can you really speak a decent German?"

GEMINDER: "I didn't speak German for a long time, but I know the German language."

PROSECUTOR: "As well as you know Czech?"

GEMINDER: "Yes."

PROSECUTOR: "That means that you speak no

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language decently. A typical cosmopolitan!"

GEMINDER: "Yes." . . .

ASKED to tell the Court about his association with Slansky, Geminder began by speaking of his "cosmopolitan, bourgeois, Zionist background," his "family connections with the West," and his early education which fostered in him "petty bourgeois and cosmopolitan views." His parents were merchants, his youth was carefree, and there was nothing in his personal experience that would have provided any ties with the revolutionary working class. While still at school he joined the "Blau Weiss" Zionist youth organization. . . .

Although the interests of the working class had been alien to him, he had, like many other careerist elements, joined the Communist party for selfish reasons. . . . Between 1926-35 he was in touch with various Jewish nationalist and cosmopolitan elements such as Reicin, Polak, Frejka, London, and others. With them he masqueraded as a loyal Communist while they were actually working against the party. . . .

Asked by the Court to go back to how Slansky had won him over for his conspiratorial activity, Geminder explained that in 1946 Slansky had met him again and asked him to work with him. Geminder hesitated because of his inadequate command of the Czech language and also because he did not have Czechoslovak citizenship. Slansky assured him that this could be remedied and suggested that he could change his name "as so many cosmopolitans have done." He suggested Vltavsky.

Geminder explained that for their conspiracy they had relied largely on people who had spent the war in Britain and who had come back after the liberation as supporters of British imperialist policy and often as downright agents of Western imperialism. . . .

In the diplomatic service, bourgeois nationalist-cosmopolitan-Zionist elements were appointed to foreign legations. . . . "Many people whom we sent to the USSR and the People's Democracies . . . had to be recalled for unreliability or incompetence." One of these was the Zionist, Josef Goldmann, who was recalled from the USSR.

Witness Pavel Reimann

Former official of the History Institute of the Communist Party of Czechoslovakia

REIMANN showed how the conspiratorial center's leaders used the Zionist organizations of Czechoslovakia for their ends. Reimann told of the far-flung network of Zionist organizations and of Zionist groups of a fascist type, set up under the direct patronage of Slansky. These organizations had at their disposal funds to be used primarily for espionage and subversive activities. They served the imperialists and, consequently, carried out large-scale financial transactions, enabling some Czechoslovak capitalists to get their money out of the country.

Defendant André Simone

Former Editor of "Rude Pravo"

THE commentator said that Simone was a former editor of the Communist daily *Rude Pravo,* and described him as a cunning globe-trotter, a spy without backbone, who as a son of a wealthy manufacturer obstinately hated the working class. . . .

PRESIDING JUDGE: "What led you to actively fight the People's Democratic regime in Czechoslovakia?"

SIMONE: "I shall tell the truth. I am the son of a manufacturer and educated in the spirit of the bourgeois ideology. The working class was alien to me. This was why my surroundings were formed of people spiritually akin to me, from the ranks of traitors against the working people, Trotskyites, right-wing socialists, and bourgeois elements. For thirty years I defended the bourgeois ideology, disrupted the unity of the working class and the workers' movement in various capitalist countries, and I carried on similar activities in Czechoslovakia as a participant in Slansky's conspiracy." . . .

STATE PROSECUTOR: "When and how did you become associated with the French espionage service?"

SIMONE: "In September 1939, I pledged myself to the French Minister Mandel in Paris."

Continuing, Simone said that Mandel had maintained his own espionage service with the help of Jewish and some French capitalist magnates. In 1939 Mandel had discussed with the accused the Daladier plan and had told him about his belief that a second world war would break out. Mandel had expected Germany's defeat and had stressed the point that after the war matters would have to be settled with the Soviet Union.

The accused had agreed with Mandel's views and had told him that he, Mandel, could always rely on his cooperation. . . .

STATE PROSECUTOR: "In 1939 you pledged your cooperation to the British Intelligence Service. Tell us about it."

SIMONE: "I pledged my collaboration with the British Intelligence Service in Paris in 1939 in the office of the agent Paul Willert." . . .

In February 1946, before his departure for

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Czechoslovakia, he had been asked by the British Vice Consul to report in London to Willert, which he did. He met Willert twice in London in April. Simone told the court that he informed Willert on the first occasion that in New York he, Simone, had agreed with the Jewish nationalist and U. S. intelligence agent Schoenbrunn to cooperate on behalf of the U. S. Intelligence Service. . . .

They met at a restaurant and Schoenbrunn informed him that he was instructed by the U. S. Secret Service to negotiate with him. Schoenbrunn emphasized that the United States was conducting the same policy as Mandel, who, if he were still alive, would wholeheartedly back Washington. Mandel had rendered splendid service to capitalist Jewry.

Schoenbrunn said: "It is the duty of every Jew to support the Americans even if he does not agree with every detail of their policy." Simone's best way of showing his support was by providing "information" which the prosecutor interpreted as "espionage information."

Simone then explained what he knew of the background of Schoenbrunn. He was the son of a Jewish capitalist who migrated to the United States before the First World War. In 1946-47 Schoenbrunn was in the service of the U. S. Overseas News Agency, "which is an organ of the U. S. Jewish capitalists," financed among others by Bernard Baruch. This agency "is one of the important links among the U. S. Zionists and Jewish nationalists in the United States and cooperates closely with the State Department." Through this agency the U. S. Psychological Warfare Board was spreading "outrageous lies and slander against the Peace Camp." Simone knew all this when he agreed to work for Schoenbrunn.

He was then asked to say something more about the U. S. Psychological Warfare Board. He said that the members were officials of the State Department, War Department, the Catholic and Protestant churches, and Jewish organizations.

The Board "organizes murder, sabotage, and diversionary activities in China, and so forth. It had at its disposal hundreds of millions of dollars of the Mutual Security Act with which to achieve the same purposes in the USSR and the People's Democracies, as well as for the recruitment of exile emigrés for the U. S. Forces. The correct name for the Board ought to be the 'U. S. Board for a Shooting War and for the Liquidation of Progressive People, for Murderous Atomic Aggression on the USSR and the People's Democracies, and for the Elimination of Anything in the Way of the U. S. Imperialists.'" . . .

Simone . . . had given Slansky a full report about his close connections with Jewish nationalists and Zionist circles in Mexico and as editor of the paper [one word missing] *Israelite.*

Slansky had accepted this news as a matter of course. Slansky had shown particular interest in the activities of Browder, former Secretary General of the U. S. Communists, "unmasked in 1944 as an enemy of the working people. His interest in details of Browder's technique as a liquidator" became understandable to Simone only later when he realized that Slansky wanted to "emulate Browder and Tito in usurping power and liquidating the Marx-Lenin Communist party of Czechoslovakia," whereby he would have tried to destroy the popular democratic regime. . . .

In 1946 Slansky told him [Simone] of the need to "popularize Tito and Yugoslavia's specific roads to Socialism." At that time he had not known that Slansky had talked with Tito. Slansky had also shown great interest in cooperation with the Zionists and [Jewish] nationalists in Mexico.

The Presiding Judge asked Simone why he thought Slansky had confided to him his "hostile intentions."

Simone replied: "He wanted to ensnare me in his conspiratorial center in Czechoslovakia." Due to Simone's background, Slansky had found it easy to win him over. . . .

Simone had renewed his contacts with the intelligence service agent Willert, in August 1946 at the Paris Peace Conference, when he supplied him with a detailed report of his activities in Czechoslovakia and when "I told him that Slansky had his own notions and plans for future development in Czechoslovakia." Willert had asked many questions about Slansky. . . .

Prosecutor: "Who contacted you and gave you the password agreed upon with Willert after your return from the Peace Conference?"

Simone: "In 1947 the British spy Alexander Werth called me up and asked me to meet him. We met in the National Club where Werth immediately identified himself with Willert's password. From 1947 on I had espionage contacts with the British spy Alexander Werth on the occasion of his trips to Czechoslovakia right up to the autumn of 1949. I met him four times, always after telephone conversations.

"I used to meet Werth either in the Hotel Alcron, in the National Club, or in the Restaurant Lippert. With every important report which I gave to Werth, I quoted its source. Werth always asked me about my work and my position and always showed interest in

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the development of my relations with Slansky and Clementis." . . .

Simone stated that information for his espionage reports had been given to him by Slansky, Geminder, Loebl, Frejka, Clementis, and Hajdu.

"When I was unable to supply these Western agents with the information they required, I put them in touch with other members of the espionage center, above all, Slansky. In March 1948 I arranged a meeting between Slansky and two hostile Labor Members of Parliament, Crossman and Wigg. I arranged this meeting by telephone and it was to be held in the Communist party secretariat. Slansky wanted me to act as interpreter at this meeting, but as I could not do this he used Vilem Novy as an interpreter. After his return to Britain, Crossman wrote a number of hostile articles against People's Democratic Czechoslovakia.

"During the Paris Peace Conference I put Clementis in touch with the U. S. Agents Schoenbrunn, Howard Smith, and Edgar Allan Mowrer. Later I arranged meetings of Schoenbrunn and Hindus with Clementis." . . .

"As a conspirator I am responsible for every action and crime of each Jewish member of the conspiratorial center.

"Which are the countries where fierce anti-Semitism is on the increase? The United States and Great Britain. I have joined the spies of those states. Which country has a law against racialism and anti-Semitism? The USSR. I have joined U. S., British, and French anti-Semites against the Soviet Union. Therein lies my crime.

"I am a writer, supposedly an architect of the soul. What sort of architect have I been —I who have poisoned people's souls? Such an architect of the soul belongs to the gallows. The only service I can still render is to warn all who by origin or character are in danger of following the same path to hell. The sterner the punishment . . . [unintelligible]."

[The commentator wound up by saying that the evidence of this "cynical enemy of the working people," like that of all the other defendants, had once again revealed the depths to which that "scum of society," that "gang of adventurers and lickspittles in the service of U. S. armament kings," had sunk. The people "will mete out rigorous and just punishment."]

Defendant Rudolf Margolius

Former Deputy Minister of Foreign Trade

"I WAS recruited for my subversive work by Evzen Loebl in October 1948, when I became a member of the anti-state group," Margolius said. On the instructions of this group he had conducted "extensive espionage and sabotage activities in the Foreign Trade Ministry aiming at the disintegration of Czechoslovak economy." He had deliberately negotiated unfavorable trade agreements and had enforced payments to foreign capitalists as compensation for nationalized property. . . .

He also pleaded guilty to having maintained espionage contacts with representatives of imperialist states, right up to the time of his arrest. These were Vera Micheles Dean, representative of the American Foreign Policy Association; the agent of the British imperialists Konni Zilliacus; the Jewish international businessman and Czechoslovak emigré, [the] Zionist Brenner; and the representative of Swedish capitalists and former Minister to Czechoslovakia, Otto Wilhelm Winther. . . .

". . . I plead guilty that I placed hostile Zionist elements as Czechoslovak trade representatives abroad." By means of exorbitant commissions and other tricks, he had enabled the "treacherous emigrés in the capitalist West" to acquire funds for their hostile activities against Czechoslovakia. He had granted various advantages to these emigrés and he had also helped many enemies of the Czechoslovak popular democratic regime to emigrate to capitalist countries.

Margolius was the son of a partner in the "Margolius Brothers" wholesale textile company and a member of a Jewish Freemason lodge. Many of his relatives were active Zionists and the defendant, too, was cited in this connection, since he had been a member of various Zionist societies. He had succeeded in infiltrating into the Communist party after 1945 by making untrue statements about his past. . . .

MARGOLIUS became aware of Slansky's sabotage intentions by the fact that leading positions in the country's economic machinery were given to hostile elements, particularly Jewish bourgeois nationalists and Zionists. . . .

The defendant . . . mentioned another espionage link, that is, with the Zionist Leo Brenner, whom he had met in 1948 through Loebl. . . . Before Margolius left for London he received instructions from Loebl to visit Brenner in London and to tell him that the real aims being pursued in the Czechoslovak-British talks were the interests of the British capitalists. These were to be provided with fresh profits, to receive compensation for nationalized property in Czechoslovakia, and so forth. After his arrival in London, Margolius had contacted Brenner and also arranged for the Rothschilds to be informed that under the proposed agreement they might receive compensation

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for the nationalized Vitkovice Foundries. . . .

The prosecutor asked Margolius for details about the so-called "Ueberall Campaign."

Margolius said that the campaign was initiated by former Israeli Minister to Czechoslovakia Avriel, at the beginning of 1948. Avriel had appeared in Czechoslovakia in 1947 under the name of Ueberall. He "organized and directed Zionist organizations in Czechoslovakia."

Margolius admitted to having been in constant touch with Ueberall. . . . One of [the Ueberall campaign's] specific aims was to hamper the transition to heavy industrial production in Czechoslovakia. It was for that purpose that Loebl tried to secure credits from Jewish capitalists in the United States in order to create financial and economic dependence on the United States. The industry was to become dependent on raw-material and important equipment imports. It was planned to repay with light-industry exports to the United States. If that had been achieved, the transition to heavy industry would have to be sabotaged.

The profit was to go to Jewish capitalists in the United States and especially to Czechoslovak emigrés who were to become the key exporters, importers, and middlemen in trade with Czechoslovakia. It was intended to help them to amass wealth while at the same time damaging the Czechoslovak economy. . . .

MARGOLIUS then continued to specify machinery exports to Palestine in 1948 and 1949 when "Jewish bourgeois elements" emigrated to Palestine; in those years exports were made with the agreement and knowledge of the Commission for Foreign Trade attached to the secretariat of the Central Committee of the Communist party, consisting of Loebl, Fischl, Margolius and (Planer).

Ostensibly old but in fact very well-preserved and usable machinery, mostly taken from factories formerly owned by Czechoslovak capitalists who had already emigrated or who intended to emigrate to Palestine, was exported. Those people were thus enabled to re-acquire production equipment the export of which was not permitted. Those transactions caused Czechoslovakia damage running into many millions, not only because important equipment was lost to the country but because the machinery was taken out of the country at very low prices.

The Presiding Judge then questioned Margolius on the 1950 trade agreement between Czechoslovakia and Israel.

The defendant, who was instrumental in the conclusion of that agreement, described it as yet another act of sabotage of the Czechoslovak economy. Its harmfulness lay in the fact that 17 per cent of the exports to Israel remained, in effect, unpaid for, while at the same time the transfer of property which the government did not allow to be exported was thus made possible. . . .

Margolius further pleaded guilty to having allowed exports of food whereby the provisioning of the Czechoslovak people was endangered. He explained that in 1950 and at the beginning of 1951 there had been a critical meat-supply situation in Czechoslovakia. "With a view to creating dissatisfaction among the public with the Communist party and the government and to interfering with the nation's food supply, I gave instructions to continue meat exports to the capitalist countries." . . .

The Prosecutor extracted from the defendant a confession that his sabotage had virtually forced the government to reintroduce bread and flour rationing in February 1951. . . .

MARGOLIUS was then asked whether "the treacherous emigrés" were financed "with the money of the working people." He admitted that, saying: "The treacherous Czechoslovak emigrés in the capitalist countries had basically the hostile aims of our conspiratorial center, that is, the restoration of capitalism. For this reason we directly supported them—former Czechoslovak capitalists, many Zionists and Jewish capitalists, and other hostile elements."

They did this by allowing these elements to engage in Czechoslovak foreign trade and enabling them to make tremendous profits at the expense of Czechoslovakia. "In this connection it was not only a matter of supplying the emigrés with a private income, but also of enabling them to finance their treacherous activities against the People's Democratic Czechoslovakia." Margolius himself engaged such emigrés and paid out such funds through excessive commissions and other machinations.

Margolius then gave a number of concrete examples. The representative of the Czechoslovak export firm, Ligna, in Britain was "the Jewish capitalist, Czechoslovak emigré and Zionist (Schnitzer)." The representative of Centrotex in the United States was the Jewish capitalist Lindt family, Zionists from Czechoslovakia. Other representatives of the firm in the United States were the former Czechoslovak capitalists Jerie and Korda.

The representative of Kovo in Argentine was the Jewish capitalist Becher, from Roudnice. The representative of Kovo in Brazil was the Jewish manufacturer Singer, from Plzen. The representative of the machine factories in the United States was a former director of the Skoda Works, Fried. The representative of "Exico" in Venezuela was the Czechoslovak refugee Odehnal. The representative of the

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Czechoslovak mines in Italy was the Jewish capitalist and former coal baron Guttmann.

Asked to give details about Guttmann, Margolius said he was the owner of a Trieste firm with which the Czechoslovak mines concluded an agreement damaging to Czechoslovakia. "The damaging character of this agreement resulted from the fact that Guttmann was not only given a very high commission, but was also enabled to appropriate any additional profit margin resulting from the sale of coal in Italy." . . .

There were other methods for supplying the treacherous emigré with funds. Margolius mentioned the export of a distillery to Argentina, of power plants and a sugar refinery to Iran, of electric motors to Sweden, and so forth. In all these cases, the representatives of Czechoslovak foreign trade abroad, mostly emigrés, Zionists and other hostile elements, received huge sums amounting to tens of millions of koruny. . . .

Defendant Otto Fischl

Former Deputy Minister of Finance

THE next accused to be questioned was Otto Fischl. . . . "A bourgeois nationalist, the son of a rich merchant and a collaborator of the Nazis."

Fischl pleaded guilty of having been a member of the anti-state hostile center led by Rudolf Slansky. "An accomplice of Slansky and a Jewish bourgeois nationalist, I took part in the center's hostile actions, which were organized by the Anglo-U.S. imperialists and their agents in Israel, headed by Ben Gurion. These actions sought to (enrich) the Jewish bourgeoisie." Fischl's tasks were set by Slansky. He also collaborated with Geminder and was in direct contact "with the U.S.-British agents sent to Czechoslovakia by Ben Gurion."

QUESTION: "Who were these agents?"

FISCHL: "They were the Israeli Minister Ehud Avriel, Dr. Felix, and Ben Shalom."

PRESIDING JUDGE: "Explain why you had such a hostile attitude toward the People's Democratic Czechoslovakia."

FISCHL: "Your honor, I could not possibly have any attitude but a hostile one."

PRESIDING JUDGE: "Why?"

FISCHL: "I am a Jewish bourgeois nationalist."

Fischl said he was a partner in the lawyers' firm of Mautner, which catered mainly to the Jewish upper class. He received large sums for his work and in this way his interests became identical with this class. He was a member of "the Jewish bourgeois nationalist organization Kapr and the League of Czech Jews." . . .

Asked about his collaboration with the Nazis, Fischl said that after Munich, he joined "the fascist organization called National Unity." With his friends the industrialists (Pachl) and Pick-Petrovsky he was in contact with the high Nazi judge Dr. (Zechner), with the Nazi officer (Petrezel), and with Libuse (Rozdilova), an estate owner, who told him herself that she worked for the Gestapo.

After the liberation, he hid them in his apartment and shielded them from punishment; later they emigrated to South America.

At this point, the prosecution submitted a document, from which it appeared that the abovementioned Dr. (Zechner) was on the list of those guilty of the massacres of Lidice and Lezaky. . . .

Fischl was then asked about the sabotage he carried out in the economic and financial sphere. He began this sabotage while working at the Central Committee of the Communist party by "supporting the endeavors of the Zionists and of the Jewish-bourgeois-nationalistic elements to get hold of the national administration of property."

Together with Dr. (Eckstein), (Ales), and (Svabik), he successfully delayed the merging of the National Administration of Property with the Resettlement Office and the National Reconstruction Fund from 1946 until 1948. The National Administration of Property fell into the hands of Jewish reactionaries, who used it for "strengthening the bourgeois nationalist and Zionist position in the state by allocating the property mainly to Jewish bourgeois nationalists and Zionist elements." . . .

THE Prosecutor . . . asked Fischl how he damaged the national economy when working in the Ministry of Finance. Fischl said he had been appointed to the Ministry by Slansky.

"At that time, when there was large-scale emigration to Israel and to the big capitalist countries by the Jewish bourgeoisie, it was my task to help this bourgeoisie to transfer the property of our workers." Slansky gave Fischl a free hand in all this.

This emigration was organized by "the Zionist organizations, such as the Central Federation of Zionists, the Keren Hayesod and Keren Kayemet, and the fascist organization Irgun Zvai Leumi. The U. S. Joint Zionist organization financed in part the emigration of these reactionaries and procured the means for this by large-scale foreign currency machinations and other tricks." . . .

The Prosecutor then asked him why the Jewish religious communities were interested in this transfer of property. He replied that

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this was so "because they were dominated by Jewish reactionaries, Zionists, cosmopolitans, and other hostile elements. These elements in the end went so far as to misuse the cloak of the Jewish religion for carrying on Zionist, hostile activities." . . .

Continuing his evidence, Fischl said that through illegal export of property, the Czechoslovak people suffered losses amounting to billions of Czechoslovak koruny. Asked by the Prosecutor to explain why he allowed Jewish capitalists to export huge fortunes while he was very strict with applications submitted by poor people, the accused said he covered up by his strict attitude toward the poor his allowances to the rich.

The accused set aside a report submitted by the controlling organs of his Ministry which drew his attention to the heavy losses owing to the export of vast fortunes. He went on to describe "action under which the illegal transfer of Jewish reactionary elements as well as their property, took place, not only from Czechoslovakia, but also from the neighboring People's Democratic Poland, Hungary, and Rumania."

TRANSPORT from Slovakia was directed to Vienna; from there it left for Israel and other capitalist states. People who were sent in this way also included individuals wanted by state security organs. They were sent under false names, and their documents were forged by the Central Zionist Organization, which affixed false stamps of the District Court in Bratislava. . . .

Asked by the Prosecutor how he was connected with the Prague branch of the Joint Zionist organization, Fischl stated that he was in contact with its general secretary, Henry Levy, and with Dr. Gregor. He promised them the duty-free import of various necessities from the United States for the benefit of the Zionist organizations in Czechoslovakia, and Fischl also arranged this. He also covered the large-scale currency machinations of the Joint Zionist organization, which consisted of payments made by emigrants, who gave money to this organization at the unofficial rate of exchange, while the "Joint" paid him the equivalent in dollars in the country to which these people were proceeding.

Fischl cited the following example. The "Joint" received from a person 500 koruny, for which he received one dollar. The central office of the "Joint" in the United States thus saved $9.00 because if an official transaction were conducted, the organization would have had to provide $10 in exchange for 500 koruny. Money thus gained was used by the Joint Zionist organization for the financing of hostile and disruptive activities against Czechoslovakia, and also for organizing financial transfers of the emigrants to foreign countries.

In order to protect the "Joint" the accused spread false information about its charitable activities in Czechoslovakia.

The commentator stated that the losses caused by Fischl had amounted to hundreds of millions of koruny. . . .

THE accused then began to describe how he sabotaged the Penal Department of the Finance Ministry for the benefit of U. S. agencies. When a group of Israeli citizens, who had been sent to Czechoslovakia to carry out fraudulent business deals and currency machinations, were arrested, it transpired that business deals were organized from Israel all over the world. Use was made of differences in currency and prices caused by postwar conditions. These transactions were used so as to cause considerable damage in the countries where they took place.

These deals were organized by the Israeli company Solel Boneh, which worked in collaboration with and under the direct supervision of the Israeli semi-fascist trade union league Histadrut. The political representative of Histadrut, Gruenbaum, was in direct contact with Dr. Felix who organized these frauds in Czechoslovakia.

Fischl then described the case of the Anders family, who owned numerous stores in Czechoslovakia's leading cities, as well as abroad. This family caused the country damage amounting to 70,000,000 koruny through tax and currency frauds. Further intrigues by this family caused the state losses of another 16,000,000 koruny. The accused intervened in the trial which then took place. He stopped this trial on condition that the Anders family gave up their business interests.

This took place at a time when the Anders stores had already been nationalized and, therefore, were not owned by them. In this way the accused saved the Anders family their vast private fortunes. . . .

Defendant Evzen Loebl

Former Deputy Minister of Foreign Trade

LOEBL declared: "I am guilty." Asked in what his guilt consisted, he said: "I am guilty principally in that, as a member of the subversive espionage conspiracy built up and headed by Slansky, I carried out extensive hostile, subversive, and harmful work in the Czechoslovak economy." . . .

Elaborating on his offenses, Loebl explained that in collaboration with Slansky, and in particular with Frejka and Margolius, he had pur-

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sued the object of "tying the Czechoslovak economy to the capitalist West and making it dependent on the West." . . .

One aspect of this scheme was the Ueberall scheme. The idea of this was to increase the production and exportation of manufactures of the light industry to the West "in such a way that the profits of the work of Czechoslovak industry should accrue to Israel."

A "similar fraudulent scheme" was the so-called dollar offensive, the purpose of which was to retard the building of socialism in Czechoslovakia. This plan had been agreed on between Loebl and "the U. S. agent and Israeli Minister Ueberall." It was to have been put into effect with the help of U. S. capitalist Zionists.

Asked when he had pursued his avowed aim of tying Czechoslovakia to the capitalist countries, Loebl said: "I began to work along these lines during my London exile with the direct support of the Economic Commission, whose members were also Jewish bourgeois nationalists, under Frejka's leadership. At our last meeting before returning to the liberated homeland, I agreed with Frejka that under the pretext of needing persons with a knowledge of the West, we would continue to keep up the circle around the Economic Commission, and in fact, enlarge it with further 'Londoners' whom we would place in key economic positions with a view to realizing our concept of shackling Czechoslovak economy to the capitalist West. . . .

". . . I agreed with Frejka that we would set up a special consultative body in this economic department, to be named, according to the London model, the Economic Commission. We also agreed that we would take into this economic commission only enemies of the party, cosmopolitans, Zionists, bourgeois nationalists, and people nurtured on capitalism."

Loebl was then questioned about his sabotage in the field of foreign trade. In this sphere, too, he admitted, he had "carried out a whole string of sabotage acts," of which one had been the Ueberall scheme. Ueberall had come to Prague even before he was appointed Israeli Minister, as "an American agent and representative of Zionist organizations." Loebl worked with him and with other members of the conspiracy "in favor of that American outpost in the Middle East—the State of Israel."

Asked about the details of his work with Ueberall, Loebl said: "On one occasion Ueberall came to me with a concrete proposal. He said it was possible to get dollar credits from American Zionists on the condition that Zionist emigrés would be allowed to transfer their property."

PROSECUTOR: "How did you react to this?"

LOEBL: "I reacted favorably because this proposal was in line with Slansky's instructions to use Zionist organizations for tying the country to the United States. That is why I agreed on the scheme Ueberall proposed."

Asked to explain the "sabotage character" of the proposal, Loebl said the dollar credits were to have made Czechoslovakia economically dependent on America. . . .

PROSECUTOR: "What further considerations were you guided by?"

LOEBL: "Considerations for the Zionist emigrés and the transfer of their property, since this affected many of my friends and relations."

Defendant Otto Sling

Former Regional Party Secretary in Brno

JUDGE: "We are now continuing in the trial with the examination of the defendant, Otto Sling. Do you know the indictment?"

SLING: "Yes."

JUDGE: "You know with which crimes you are being charged?"

SLING: "Yes."

JUDGE: "Do you plead guilty?"

SLING: "Yes, I plead guilty to all counts of the indictment. I admit to having been a member of the anti-state conspiratorial group headed by Rudolf Slansky. This group consisted of elements hostile to the Popular Democratic Czechoslovakia coming from the ranks of bourgeois nationalists, Trotskyists, collaborators, and similar enemies. We conducted our disruptive activities in all sectors of political, economic, and public life, in the national security corps and in the army." . . .

From the outset, said Sling, the conspiracy aimed at filling key positions in heavy engineering with its own men, knowing the importance of that sector of the economy in Czechoslovakia's socialist transformation. That was why Slansky, Frank, and Frejka appointed "exponents of capitalism" and "former capitalist directors" to key posts in the heavy engineering industry, such as "the Jewish bourgeois nationalist engineer, Fabinger," who held a high post in the Ostrava heavy engineering industry during the First Republic and who was appointed Director General of Heavy Engineering after the war on Frejka's proposal with the approval of Frank and Slansky. Fabinger had worked under Slansky's and Frank's directives and, in pursuance of their subversive cadres policy, had appointed "capitalist directors and hostile elements." . . .

The Prosecutor then turned his questions to

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the conspirators' intentions with regard to the armed forces. Sling stated that late in 1945 "the Jewish bourgeois nationalist, Bedrich Kopold," then an Education Officer, called on him at the regional secretariat and told him that it might be possible to win over a number of influential senior officers. Kopold named Generals Novak, Kouril, and others. In reply to Sling's questions, Kopold had told him that they were "reactionary bourgeois officers, and participants of the counter-revolutionary putsch in Russia and had even at that time fought actively against the Red Army in the ranks of the Czechoslovak Legion." . . .

Defendant Karel Svab

Former Deputy Minister of National Security

JUDGE: "Are you guilty in the sense of the indictment?"

SVAB: "I am guilty of having protected from exposure the hostile group concentrated round Slansky."

JUDGE: "This is one part of your guilt. What else?"

SVAB: "I am further guilty of having made possible the activities of Anglo-U.S., Yugoslav, and other hostile espionage agencies in Czechoslovakia. I have covered the wrecking activities of the Trotskyists, Zionists, bourgeois nationalists, and other hostile groups. I have undermined the security apparatus by placing, either directly or with the help of others, unreliable and hostile persons in leading positions of our security, also persons who were incapable of dealing with the enemies of the Republic. I have further undermined the security apparatus by hampering party political work in our security system."

Asked how he and Slansky shielded the U. S. spy Noel Field, Svab said: "Field, the U. S. spy who was unmasked at the Rajk trial, said in his evidence that he maintained a widespread espionage network in Czechoslovakia. As his collaborators he named the Jewish bourgeois nationalists Frejka, Goldmann, Loebl, and Namek-Karpeles, and in Slovakia Holdos, Pavlik-Pollitzer and others who, on his instructions, supplied him with important espionage information from all spheres of their activities." . . .

QUESTION: "When did you learn that Noel Field was a spy?"

SVAB: "I learned that in 1947 from a document submitted to me by the Zionist Stepan Placek. This letter, written by the imperialist agent Allen Dulles himself to Field, requested Field to cooperate in espionage. This important document we kept secret even when Field in 1949 was unmasked as a spy." . . .

The Prosecutor Kolaja asked Svab what other hostile groups he shielded. Svab said he and the center had supported "Zionist organizations and their terrorist gangs." These Zionist organizations maintained continuous contact "with the imperialist agents who worked at the Israeli legation in Prague and also with the U. S. Zionist and espionage organization, the Joint Zionist organization. I knew from numerous reports that I received that this whole conspiratorial movement was financed by U. S. agencies, which used the Zionist organizations as one of their channels for spreading imperialist influence in the People's Democracies."

Kolaja then asked why these Zionist organizations were supported. Svab said one of the reasons for this was that "Slansky, who led the conspiratorial center, is himself a Jewish bourgeois nationalist, and a whole number of other members of our center are also Jewish bourgeois nationalists, or even straight Zionists. The main reason for our support, however, was that the Zionists were the most reliable imperialist agency, which gave Slansky the best opportunity for maintaining his link with the imperialist West."

From the Prosecutor's Summation

MORDECAI OREN has corroborated Slansky's close connections with Zionist organizations and with the Israeli legation. Oren also confirmed that all Zionist campaigns were conducted under Slansky's protection. The witness Oskar Langer, an international Zionist agent, also confirmed that Slansky was the patron of all Jewish bourgeois nationalists and that he expressly said that it was necessary to fill important positions in economic, political, and public life with Zionists and Jewish bourgeois nationalists. According to Slansky, their bourgeois class background could be disregarded. His closest associates from the days of his youth were Geminder, Frejka, Reicin, and Sling—all Titoist agents.

Slansky cannot deny his Jewish bourgeois nationalist character. If we realize the true meaning of Jewish bourgeois nationalism, from which the international Zionist organizations, the most important agencies of American imperialism, are descended, we understand why Rudolf Slansky finds himself today a prisoner in court, charged with the gravest crimes in our penal code. . . .

It will be necessary for me to go into details of this so-called Zionist movement. One of the reasons for this is that eleven of the defendants have been trained by Zionist organizations. Another reason is that the trial shows to all Com-

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munist and workers' parties the danger of Zionism as an agency of U. S. imperialism. The Zionist organizations have always had close links with world capitalism. . . .

The dangerous character of the international Zionist organizations increased after the setting up of a U. S. satellite, the so-called State of Israel. Even after the setting up of the State of Israel the main seat of Zionist organizations remained in the United States, where the Zionists are strongly represented among the U. S. monopolists, who are laying down the whole aggressive policy of the United States. The Ben Gurion government, which has sold out to its U. S. providers, is transforming Israel into a military base for U. S. aggression.

The Zionist agents in Slansky's conspiratorial center served mainly the U. S. aims of world domination and aggression, not the working people of Israel, by their criminal activities. Cosmopolitanism and Jewish bourgeois nationalism are in fact only two sides of the same coin, and a bad coin at that.

The building of socialism is contrary to their class interests. The Zionist movement is not some kind of an idea, some sort of an ideology. It is—and this trial has shown it clearly—identical with the Zionist organizations in the United States plus the ruling clique of the State of Israel plus the Zionist capitalists throughout the world, bound by close links with capitalist imperialists.

The evidence of the U. S. spy, the Zionist Orenstein, has shown that this link is directly based on a secret agreement between Truman, Acheson, and Ben Gurion, that the consequence of this agreement is the Morgenthau-Acheson plan which laid down the conditions for U. S. support for the setting up of the State of Israel.

II. Soviet Anti-Semitism Drops the Mask

IN SEPTEMBER 1948, Moscow's *Pravda* published an article by Ilya Ehrenburg violently attacking Zionism, Israel, and any thought of a common bond uniting the Jews of different countries. Ehrenburg minced no words. But conventional liberal opinion nervously pooh-poohed any suggestion that Ehrenburg's diatribe was anti-Semitic in intent. Wasn't Communism traditionally the sworn enemy of anti-Semitism? Didn't the Soviet and satellite constitutions guarantee racial and religious equality? Weren't Communist governments well disposed toward Israel? Weren't there Jews in high office in Czechoslovakia, Hungary, Rumania, and Poland? And wasn't Ehrenburg himself a Jew?

All non-Communist movements and ideologies are outlawed by the Soviet government, so the argument ran; why then should Zionism be an exception? Don't take a newspaper article too seriously: Moscow is simply "wooing the Arabs." The campaign against Zionism is a propaganda move on the international chessboard and holds no threat for the two and a half million Jews inside the Soviet orbit.

But those who reasoned in this way overlooked several important facts. The Zionist movement, as well as other expressions of Jewish national feeling and culture, had been outlawed in the Soviet Union as far back as the 20's; its leaders had long ago perished in Russian jails and camps. The last remaining Soviet Jewish publication, which was closed down immediately after the appearance of Ehrenburg's pronouncement, was no Zionist organ but the Communist *Einikeit*. The Yiddish writers and poets who vanished into Siberian slave labor camps following *Einikeit*'s dissolution were not Zionists but old and faithful Communists. In 1948 already, Moscow said "Zionists" but hit Jews.

THERE is a method in the totalitarian madness. A totalitarian regime has an insatiable need for "public enemies," for new scapegoats on whom to load the burden of its failures. Victims are jailed, denounced, and "liquidated" not as individuals but as members of "suspect" and "alien" groups. To be suspect is already to be guilty, a "dangerous" state of mind is manifest treason, and guilt is always collective. Potential "treachery" must be extirpated at its roots—and these roots are to be found in social and ethnic groups. The ultimate purpose of a purge is the extermination of an entire class of people.

This needs time. The rule is: No liquidation without ideological preparation. A group must be isolated morally, discredited, and denounced as the breeding ground of traitors and saboteurs before it can be sent to perish in concentration camps. First, a single faction

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of the suspect group is attacked openly: in the case of Communist heretics, the "Trotskyites"; in the case of satellite malcontents, the "Titoists"; in the case of Jews, the "Zionists." This faction is accused of harboring "dangerous deviations"; later, its members are charged with being "objective" agents of the foreign imperialist class enemy; finally, the secret police "discovers" that they spied, sabotaged, and betrayed in actual fact. Meanwhile, Leninist-Stalinist science, analyzing the causes of their betrayal, finds them in the group's collective characteristics. The identification of an entire class of people with one proscribed faction is now complete.*

Up to this point, certain distinctions are made between active "criminals" and those members of the group who are merely suspected of "criminal" tendencies. But as the campaign mounts in intensity, all such fine discriminations are forgotten. All Communists who might ever have thought to oppose Stalin become Trotskyites; all people with a residue of loyalty to their country are proscribed as Titoists; and all Jews turn out to be agents of a gigantic Zionist conspiracy.

It is characteristic of Stalin's purges that members of a suspect group are used to denounce and destroy their fellows; later, broken and demoralized, they are liquidated themselves. Bukharin and Radek were forced to shout for Zinoviev's and Kamenev's execution before following them to the Lubianka cellars. Marshals of the Red Army tried and convicted Marshal Tukhachevsky. There is nothing untoward in Stalin's world about a Jew being chosen to start the Soviet campaign against the Jews. Always the victims, loyal accomplices in their own frame-up, serve as the chief agents of the group frame-up. How else can the Big Lie be made to stand up?

For those who have some understanding of the dynamics of totalitarianism, Ehrenburg's article had an ominous ring right from the beginning. Such "alarmists" were soon provided with more concrete evidence.

Immediately following publication of the *Pravda* article, Zionist organizations in the satellite countries were disbanded and thousands of their members arrested. At first, individual Zionists were charged with embezzlement, economic sabotage, and disseminating reactionary propaganda. But soon Zionism *per se* became a crime. Israel, called a bourgeois state by Ehrenburg, after a few short months was denounced as a pawn of the imperialists and a center of hostile and disruptive activities.

But the persecution was by no means confined to Zionists. Other Jewish organizations were dissolved as well. Jewish welfare agencies were banned from the satellite countries; the cultural and charitable institutions which they had built up were summarily expropriated. In two years' time there was scarcely a vestige of Jewish cultural and communal life remaining in the satellite countries. The few religious communities that had been permitted to survive were commandeered by the Communists and set to turning out Communist, anti-Zionist, and anti-Israel propaganda. The rabbis whose servile statements were published in the Communist press were either of secret police manufacture, or real rabbis terrorized into docility.

In the Soviet Union itself there was nothing Jewish left to liquidate except the Jews. Judaism as a religion had been virtually harried out of existence with the help of Jewish Communists long ago. Jews had had to renounce all ties with Judaism or Jewishness; many were now Communists. But this didn't help them very much. A Jew who was not a Zionist could still be denounced as a "Jewish bourgeois nationalist," or "cosmopolitan," or both. It was shown that, "dialectically," cosmopolitanism and bourgeois nationalism (especially the Jewish kind) are the same thing. Hitler had elucidated this "unity of contradictions" without the help of dialectics: for him, too, the "international Jew" was a racist Jewish nationalist who wished to impose the yoke of Jewry upon the world.

A purge of "cosmopolitans" began in every sphere of public life; most of its victims were Jews.* Although the word Jew was rarely used at this stage, nobody mistook what was meant. Expressions like "men without a country," "homeless wanderers," "alien elements," etc. deliberately evoked old anti-Semitic stereotypes. To make the purpose

*For a brilliant analysis of this common process of Nazi and Communist regimes, see Paul Kecskemeti's "How Totalitarians Gain Absolute Power," in the December 1952 COMMENTARY.

*See Solomon M. Schwarz, "The New Anti-Semitism of the Soviet Union," in COMMENTARY, June 1949.

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of the operation perfectly clear, Jews who had adopted Russian names were now cited with their original Jewish names in parentheses. Denunciation abroad of this practice caused it to be discontinued. But it had already served its turn: the identification of "cosmopolitan" with "Jew" was firmly fixed in the public mind. A series of "true stories" and works of fiction appeared in the Soviet press and literature depicting people with Jewish names as cowardly villains, black-marketeers, grasping individuals, parasites living off other people's work. Incitement to hatred became more and more open. The time was ripe for mass deportations.

In the Soviet Union proper, mass deportations of Jews from border territories had already been going forward for some time. Behind the double Iron Curtain, however, in territories no foreigner is allowed to see, the operations of the secret police were only dimly visible. There were reports of midnight transports, of slave labor camps filled with Jews, of the final dissolution of the Jewish Autonomous Region in Biro-Bidjan, and the area's transformation into a site for "corrective labor" camps. There was no official confirmation of these reports. But neither were there official denials—only imperturbable silence; let the servile Communists and fellow-travelers in the West do the denying.

Then, in 1951, mass deportations began in earnest in Central Europe, Hungary, and Rumania.* Jews made up a large percentage of the deportees. A wave of Jewish suicides swept Budapest and Bucharest. There were frantic calls for help. And then there was silence.

And yet there were still those in the West who consoled themselves with the thought that nothing anti-Semitic was present in all these horrors. Weren't there non-Jewish as well as Jewish victims of the deportations and purges? Granted that thousands upon thousands of Jews were being killed, starved, or worked to death in camps and prisons. Yet were they simply being killed, or killed *as Jews*? They refused to see as anti-Semitism the most savage persecution of the Jews so long as Jews were not called "Jews," however much insulted otherwise, and so long as they were provided with equal accommodations—in Buchenwald or Karaganda.

LINGERING doubts, if there were any, have now been dispelled by the terrifying evidence of the Prague trial. Its victims were men with no trace of Jewishness except what the Nazis used to call "racial origin." They were not Zionists—they had fought Zionism all their life. They were not capitalists—they had in fact played a leading part in the expropriation of Jewish as well as non-Jewish capital. They were not Jewish nationalists—they had renounced nationalism in all its forms when they first joined the Communist party. When they mouthed nationalist phrases following a change in the party line, it was Czech nationalism that they professed; a nationalism, however, that went on and off at Moscow's bidding, and that extolled Soviet Russia as mankind's only true fatherland. These men had but one loyalty—to Moscow.

And yet they were tried and hanged as Jews. They were forced to confess their participation in a worldwide Jewish plot. And what a plot! The infamous Protocols of the Elders of Zion are cast into the shade. Every prominent Jew you could think of was made to figure in the conspiracy. The French cabinet minister Georges Mandel—whom the Nazis killed during the war—was described as having hired one of the defendants to spy against Russia as far back as 1939. Several defendants confessed that Jewish capitalists in France, England, and the United States had built up, during the war, an organization directed against the yet unborn people's democracies. After the war, Ben Gurion and Henry Morgenthau, in a secret conference with Truman and Acheson, were supposed to have worked out a scheme for a Zionist espionage network. Israeli diplomats were messenger boys for the Jewish conspirators in different countries. The conspiratorial network embraced Ana Pauker in Rumania, Moshe Pijade in Yugoslavia, Rudolf Slansky and Bedrich Geminder in Prague, and Mordecai Oren in Israel. According to the confessions, not only Zionist and pro-Zionist groups, but also the Joint Distribution Committee, the B'nai B'rith, and such assimilationist groups as the League of Czech Jews took a hand in the conspiracy. The plot was financed by Bernard Baruch and, of course, the Rothschilds.

*See Béla Fabian, "Hungary's Jewry Faces Liquidation," in COMMENTARY, October 1951.

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The script writers didn't even forget to mention the Freemasons as having leagued together with the Jews. Dr. Goebbels and Julius Streicher couldn't have done better.

Every word spoken at the show was calculated to arouse hatred against the Jews. Nobody could be deceived by the fact that the defendants were sometimes called Zionists, sometimes Jewish bourgeois nationalists, sometimes agents of the Jewish capitalists, and sometimes cosmopolitans. To make doubly sure, after the name of each Jewish defendant the indictment added these words: "of Jewish origin"; whereas two of the three non-Jewish defendants were described simply as "Czechs," and former Foreign Minister Vlado Clementis as "a Slovak." Each defendant was first questioned about his family background. Each duly called attention to his "bourgeois Jewish" or "Jewish nationalist" origins; given such origins he could not have become anything else but an opportunist, careerist, traitor, and criminal. Each was forced to confess that he had placed other "Zionists," "Jewish nationalists," or simply Jews in positions of trust so that they might betray the country and the working class. Even the three non-Jewish defendants had to confess to the capital offense of having surrounded themselves with Jews. Two of these were depicted as war criminals who had tortured fellow prisoners in Nazi camps; the diabolical Jew Slansky, knowing of these crimes, had blackmailed them into taking part in the Zionist conspiracy.

No crime was too dastardly for these Jewish plotters to commit. They betrayed their country's military secrets; sabotaged deliveries to Russia; tried to murder Gottwald; wished to bring Czechoslovakia over into the "imperialist camp." Many Czechs might have been inclined to sympathize with such anti-Soviet "crimes." So the defendants were made to confess to things that touched the mass of the people more nearly. They had sabotaged production and starved the population; sold out Czechoslovakia in foreign trade agreements, especially with Israel; traded Czechoslovak goods abroad in such a way as to enrich Jewish middlemen in foreign countries; bought foreign equipment in order to undermine the currency; imported food so as to make Czechoslovakia dependent on foreign imperialists; exported food so as to starve the workers. If there was no bread, meat, or electricity; if wages were low and prices high; if working hours were long and breakdowns in production frequent —it was all the fault of the Jewish conspirators. Time and again the question was asked during the trial: who is guilty? Time and again the answer was given: Jewish plotters.

The purpose in all this is unmistakable. The Jews are being held responsible for all the failures of the regime, for the misery and state of semi-starvation in which the Czech people are forced to live.

This was no mere trial of Slansky. Slansky and his accomplices were simple puppets, forced to serve Stalin in death as in life. They were certainly guilty of many crimes. But of those which they "confessed" to, of their participation in a Jewish plot, they were certainly innocent.

WHAT really matters is that the trial gives the signal for a mass "liquidation." No public trial of the Moscow kind has ever had any other purpose.

In 1928, a few engineers and scientists were tried in Moscow on charges of sabotage and treason. Some were executed, some got off. But a mass purge of "bourgeois technicians" followed. Another trial, of Menshevik leaders, was staged. The liquidation of former Social Democrats followed. In 1936-1937, several dozen old Bolsheviks were tried as "Trotskyites" and "Bukharinists." The ensuing purge engulfed several million people. Trials of "Titoists" in the postwar satellite countries started a slaughter of people suspected of wanting a measure of independence for their countries.

It is true that a few members of the outlawed classes are sometimes allowed to live on. The former Menshevik Vishinsky is still the Soviet Russian Foreign Minister. As far as we know, the old Bolshevik Litvinov died a natural death. Ilya Ehrenburg is—as of this writing—still alive and kicking. So is Stalin's brother-in-law, Lazar Kaganovich. A few Jews will escape the carnage, if only to show the world that Soviet anti-Semitism is "an invention of American warmongers." Stalin is certainly more flexible than Hitler. He follows the maxim of that notorious anti-Semitic Mayor of Vienna, Lueger: "*I* decide who is a Jew." Saving a few of his Jewish creatures has the advantage that Stalin can get them to defend crimes against Jews.

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Behind the Iron Curtain no one mistakes the meaning of the trial. A day after it started, Jewish homes in Bratislava bore such chalked inscriptions as "Down with capitalist Jews!" "Jews live here!" or, simply, "Jews." The police refused to do anything. The secretary of the Prague Jewish community and his wife committed suicide. The official explanation of this, telegraphed to the *Daily Worker*, was that he had discovered he had cancer. But a wave of Jewish suicides swept several of the satellite countries—the cancer was epidemic. Survivors of Nazism remember how Hitler prepared *his* "solution of the Jewish question" by accusing "international Jewry" of plotting with "American plutocracy." Over the Prague radio they hear the familiar voice of destruction.

Anti-Semites everywhere can now rejoice: "Hitler is dead—long live Stalin!" Old Nazis and Arab reactionaries have one more reason to rally round the Communist flag.* But it would be a mistake to think the Kremlin started its anti-Jewish drive only to please old Nazis and Arab effendis. It was inevitable that totalitarian Communism, with it inexhaustible need for new scapegoats, should follow in Hitler's footsteps.

Immediately at stake is the fate of two and a half million Jews. But the totalitarian Moloch is never sated. When the transports were rolling to Auschwitz and Maidanek, Nazi party offices were already laying plans for the extermination of Czechs, Poles, and Russians. The Soviet rulers today are far advanced along the road of genocide. The Volga Germans, Crimean Tartars, several Caucasian groups, and Balts preceded the Jews as collective victims of "social engineering." The Poles, Czechs, Rumanians, and Hungarians may be next.

*In the last three years or so, Stalin has been trying, more and more openly, to ally international Communism, in a so-called "national front" against "American imperialism," with nationalist, chauvinist, fascist, and Nazi groups throughout the world. For a detailed documentation of this new line, see the following COMMENTARY articles: "Stalin Builds a Trojan Horse Against America" (November 1952), by Maurice J. Goldbloom; "Storm Clouds Over the Bolivian Refuge" (August 1952), by Sherry Mangan; "The Near East's Communist-Fascist Front" (May 1952), by Mark Alexander; "Hungary's and Rumania's Nazis-in-Red" (May 1951), by Béla Fabian; and "The New Nazis of Germany" (January 1951), by Norbert Muhlen.

The attack now launched against the Jews is unique in one important respect. Stalin did not attempt to make the Volga Germans, Tartars, Balts, or Caucasians scapegoats for the failures of the regime, nor did he exploit the attack on them for foreign political purposes. But the Jews are a traditional scapegoat; to attack them *just for being Jews*, as was done, in so many words, at the Prague trial, to impute an innate and inevitable depravity to them, is to practice political anti-Semitism of the rankest kind, the anti-Semitism of gas chambers and world wars.

THERE is still a slim possibility of making Stalin think twice about the organized assault he has now launched against the Jews—if the free world shows, by word and deed, its impassioned determination to oppose and frustrate Soviet genocidal intentions. International protests recently put a stop—only temporarily, it is true—to the deportations of Jews of Hungary. If such a demonstration fails to stay Stalin's hand, it will at least make him pay a price in terms of lost influence: the Soviet world's last pretension to being liberal ("say what you will, at least there is no racial discrimination in the Soviet Union") will have been blasted.

Just before launching his campaign of world conquest, Hitler declared that Nazi Germany wanted nothing if not peace; it was the Jewish-dominated American and British plutocracy that was driving the world to war. But if war came, the "Fuehrer" went on to say, world Jewry would be held responsible and the Jews of Europe had better watch out. Totalitarian Communism, though having a different ideological provenance, has now arrived at about the same point. Again the United States is the main enemy; again Jewish capitalists are the arch villains; again Washington and Jerusalem are conspiring to rule the world.

Stalin is mobilizing anti-Jewish hatred and wooing anti-Semitic allies with the same purpose in mind that Hitler had: to prepare for an attack on the United States and the entire free world.

The world once badly erred in thinking Hitler's genocidal intentions concerned only the Jews; it did not even think these intentions were entirely serious. The free peoples should have learned their lesson by now: we are all in the same boat.

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THE FIRST STEP TOWARD "ONE EUROPE"

The Politics of Steel and Coal

HERBERT LUETHY

"EUROPE," an idea presumably talked to death some time ago, has finally found the beginning of a physical realization in the "Black Land" of the coke piles and blast ovens east and west of the Rhine, between Flanders and Westphalia. Behind this beginning lies a succession of false starts. From the Marshall Plan in its first version to the Pella, Petsche, and Pleven plans, we had composite commercial entities, like Fritalux and Francital, that never once made the slightest impression, statistically, on the stock and financial exchanges; tariff "unions" with their revocable and hence promptly revoked "liberalized schedules"; paper agreements offering themselves as clearing systems, and ministerial conferences and mock parliaments as political institutions.

Every two months saw the hailing of "the first step toward European Union," but a hundred such steps were never followed by a second. One Europe drew no nearer, yet many "Europes" proliferated, and the best will in the world could not descry a path through their thicket. Things got to the point where the various "Europes" had to set up mixed liaison committees and accredit delegations to one another for the purpose of working out a systematic exchange of resolutions and statistics. Between the European Defense Council, the Strasbourg Council of Europe, the European Steel and Iron Community, the preliminary constitutive assembly of the European Defense Community, and the itinerant ministerial conferences, a maze of diplomatic relationships have mushroomed that spreads with the addition of each new body and authority.

Those who inhabit this universe of committees and commissions seem to have developed the illusion that they live in a real world of supernational relationships; but to the observer it is a world of illusion that goes on indefatigably reorganizing itself alone and, as is the curse of committees, spawning new committees. This busy officialdom thinks—or thought—that national economies could be welded together by a "functional process of rapprochement" deliberately broken up into an infinity of phases, by piecemeal negotiations of tariff concessions, by gradually expanded clearinghouse credits, and by progressively stepped-up production quotas. But each member state, impelled by its own sovereign principle, strives as ever toward self-sufficiency, and the stroke of a pen is enough to nullify all the piecemeal concessions wrung from it by year-long efforts, as we saw this spring with the "liberalizing" or de-controlling of Europe.

SIMILARLY mistaken were those broad-gauge, whole-hog Europeans who be-

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ONE of the few rays of light in this dark postwar period is the "European Idea." If the nations of the Old Continent's rump, under the pressure of Stalin's new strength and their own new weakness, do begin to resolve their discords and strive toward a higher nationalism—that of Europe, and eventually, perhaps, that of humanity—then the recent war will not have been an unmitigated calamity, and Stalin's postwar policies will in some measure have brought benefit to humanity. That European unity is closer than we, in this country, realize, is shown to us here by HERBERT LUETHY, who also shows us all the obstacles it still has to face. Mr. Luethy, a frequent contributor to these pages, was born and brought up in Switzerland, specializing in history and the Romance languages during his university days. His most recent article in COMMENTARY was "Cross-Tides of North African Revolt" (November 1952). The present article was translated from the German by Felix Giovanelli.

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lieved in all good faith that half a dozen national economies, each an individual product of history, could be moved to amalgamate by a historical proclamation in the name of the Western Idea—and that all this could be done without having to grapple with such problems as tariff schedules, negotiable paper, fiscal credit, investment policies, equalization of reparation and occupation costs, compensations, and labor quotas.

It is easy, and only too often justifiable, to attack "inveterate nationalism" and the "narrow-minded vested interests" entrenched behind it. True, these interests struggle to keep erect the customs barriers behind which they have traditionally flourished, or at least vegetated and survived. But what is an organized national economy if not the sum of all such "vested interests"? These, banding together to maintain the shelter of an artificial-scarcity economy, identify that economy with the vital needs of their nation—whether to stop the importation of cheap farm commodities that "would ruin domestic agriculture," to exclude industrial competition from abroad that "would entail grave social consequences," or to prevent an influx of foreign labor that "would depress the labor market." Such attitudes cannot be brushed aside by phrases about European ideals.

Each of these old European nations, even those most sorely tested and battered, had a structure, a way of life, a national personality to defend, that—however irrational, anachronistic, and ripe for destruction it might appear to the abstract intelligence of an Adam Smith—does after all constitute her contribution to the diversity of this over-differentiated continent. Each state hesitates to make the final decision that would entrust a part of her destiny to others.

And, whereas seven years ago blood, hate, and fear were the sole boundaries marking off the rubble fields of Europe from each other, in the interim the nations of the rump of Europe have rebuilt themselves along the old lines, and, though much reduced, they have resumed, for better or for worse, their old ways. As a result, the material and structural obstacles to European union created by entrenched national interests have increased faster than the psychological hindrances have been removed.

All the same, confidence in being able to preserve or, rather, win back the capacity to survive in national isolation has been rudely shaken among most European countries, especially those that were most hurt during the war, and cannot hope to be spared in another one. It is no accident that every country in the "Little Europe" now beginning to crystallize around the European Steel and Iron Community underwent collapse and occupation after 1939. Perhaps no one ever really renounces what he has not already lost.

Like so many monads, the countries of Europe stand less in relation to one another than to the United States, as a "higher" sphere. Militarily, politically, economically, they share a common footing only insofar as they feel the pull of this non-European center of gravity, and all face the same danger from the Soviet Russian continental mass, which no European state and, for any foreseeable period, no European combination of states will be able to counterbalance without American aid. Nor will European federation suffice to restore Europe to its old position in the balance of world power. Henceforth Europe may be a cause of war but it is no longer in a position to wage one. A united Europe could perhaps contribute decisively to peace and at least regain a measure of influence no longer obtainable by any of its individual states. But even a divided Europe with, say, a lunatic leader in its midst, is no longer free to tear itself apart in armed conflict. That kind of freedom, the *ultima ratio* of sovereignty and traditionally exercised to the point of suicide, is no longer available to it.

The real question now is not the integration of the European forces—they are already so concentrated under the terms of the Atlantic Pact that it would be impossible for them to take the field separately—but whether they are to function as the *auxiliary infantry*

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of the Americans, or whether some of them will be organized as a *European Army*. In this case, too, the principle holds that nobody renounces what he has not already lost.

As far as economic union is concerned, two sobering developments have taken place. Confidence has grown in the possibility of returning with American aid to the old economic ways that prevailed "before the Deluge"; and skepticism has deepened as to the immediate fruits of economic union, a skepticism that is quite justified vis-à-vis many of the over-simplified federalist catchwords of the day. The European national economies are capable, with the aid of greater or lesser dollar injections, of at least clinging to life within their inherited structures and limits. So what, in the short term, would be gained by joining together in a common market? An adding together of deficits cannot yield a surplus, and at best would charm only those who have the greatest deficits to contribute to the pool. That kind of addition is already being made, with the greatest conscientiousness, by existing organizations, economic councils, and clearing unions. And the result of it shows that European economic power as a whole, while still far behind that of the United States—which alone accounts for roughly half of world industrial production—is still substantially ahead of the Soviet Union and its sphere.

Unhappily an error underlies this cozy reckoning. Any comparison between the *integrated* productive mechanisms of closed economic structures, like America and the Soviet Union, and the sum of a bundle of uncohesive and often conflicting national economies, with all their duplication of managements and chronic failures of production, is deceptive. And to rely in one's calculations on things continuing as they are in a world like ours is to feed on illusion. Things will not stay put and the European economic structure is getting steadily more anachronistic.

In a few years, once her new Five Year Plan is completed, the industrial capacity of the Soviet Union will have overtaken that of Europe. A totalitarian super-empire on a completely new model—backing up the absolute rule of old Oriental monarchies with modern machinery, an Assyrian system of forced labor with industrial organization and techniques, and committed to an exploitation of human labor unlimited by any consideration whatever for the standard of living of its subjects—is in a position to withhold from consumption, and reinvest in capital goods, two or three times as much of its industrial product as the most dynamic of free economies can. Compared to this terror-accelerated tempo of power accumulation, the European economies, which have lain stagnant behind their barriers ever since 1918, look like so many idyllic relics. Things being as they are, Europe daily wages a losing battle for the future.

Equally ominous is the fact that the two great economic powers of our time, the USA and the USSR, are practically self-sufficient and in no way dependent on European economic partnership. The total economic program of the USSR extends no further than the limits of her power, and the volume of her foreign trade amounts to hardly one per cent of world foreign trade. As for the United States, committed though she may be to a free-trade ideology, her foreign trade is of only peripheral importance to herself. Even now, inflated as it is by economic aid and subvention to half a world, American foreign trade hardly amounts to 5 per cent of her total national income. And the only absolutely necessary part of that trade, the importation of raw materials, makes America a competitor rather than a customer of Europe's.

Whatever social and economic structures develop in the new Asiatic countries, one thing is true of all of them: the will to make their agrarian economies self-sufficient through forced industrialization. What we today call "world trade" is a shrinking basin that waters a steadily dwindling area of the world, and Europe's preeminent position in world-trade statistics—of which she is so

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proud—is actually a sign of weakness and growing isolation. The "rage for forced industrialization" may be called "autarchic folly," and the disappearance of an Adam Smithian world economy may be mourned, but nobody outside Europe is wasting any time doing the mourning. Europe as the world's factory, exchanging finished products for raw materials and foodstuffs from "backward countries" to which she would lay down her own conditions, is gone for good. But not because she has lost her markets to new and stronger competitors—in that case she could conceivably regain them—but because those markets simply no longer exist. Not only are the countries that once paid in raw materials for staple European manufactures going in, one by one, for self-sufficiency—the chronic crisis of the textile industries furnishes the most eloquent testimony of this—but with increasing industrialization the markets in countries that were classically agricultural surplus areas, and whose food fed Europe, are also withering away. Argentinian beef and Indian rice have become things of the past for Western Europe, as has Russian and East European wheat. The economic structure of Europe grew great on the basis of a major presupposition that no longer holds, namely, Europe as partner and monopolist of profits in a world market revolving around her needs.

"EUROPE must stand on her own feet," is the slogan nowadays. This is like urging a clinging vine, after its trellis-work has been torn away, to imitate a tree and stand unpropped. So far, American emergency props have averted immediate collapse, and for a long time to come Europe will not be able to do without them. But this only adjourns, it does not solve the problem. Certain small countries, notably Sweden and Switzerland, have, by extreme technological specialization, been able to fit themselves to the new economic structure of the world, but they have been helped by favorable special circumstances—one of these the fact that they had to get along from the first without protected colonial markets. Others, especially France and England, could, thanks to their colonial empires, postpone the modernization of their economies, but stagnated as a result and were plagued increasingly by unrest in their colonial market-supply areas; their external advantages made their economic ills only the more chronic.

The way out for such countries is obvious enough; to shift their exportation from consumer goods to production, or capital, goods, for which the industrialization drive the world over has created a practically insatiable market. However—quite apart from the fact that the "backward" countries eager for machines and machine tools have nothing to offer in return and hence are in the same unfavorable trading position vis-à-vis Europe as the latter is vis-à-vis America—such a change could at best be only a halfway solution. In order "to stand on her own feet," Europe must also achieve the highest possible measure of self-sufficiency. And the only way she can do this is by the more rational exploitation of her resources within the ambit of a closed economy.

Every European country has been afflicted to date by a series of self-perpetuating payment-balance ("dollar") crises. They have tried by every Schachtian trick in the book, from dual-currency exchange rates to export subsidies, to force their way into the dollar areas, but this has served only to keep them dependent on a market that does not need their exports. Any fluctuation, however small, in American business conditions is enough to send European payment balances tumbling, with the further consequence of confirming the single European economic monads in their old windowless ways. Yet Europe could, despite everything, do without a major part of the imports for which she has to pay in dollars if she made up her mind no longer to chase after extinct markets but to concentrate on her *own* European needs.

Importing American coal, for precious American dollars and at absurd freight rates, has been the greatest folly of all. In some European countries, coal production has remained stationary because of labor shortages at a time when miners in other Eu-

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ropean countries, though ready and willing to work, have had to live on the dole. Half of Europe's imports from the dollar area consist of foodstuffs, but French agriculture continues in a closed autarchic course inside a stagnating national economy. Year after year a considerable portion of France's sugar and wine production is destroyed as unmarketable, at great cost to the state. One-fourth of France's arable surface has been withdrawn from cultivation since the turn of the century, and in wide areas farming methods and acreage yields have remained at a medieval level. According to official estimates, only political and economic, not technical, obstacles prevent a doubling of French production of foodstuffs. Examples of this kind could be multiplied.

THIS squandering of resources and labor power is due in general to the desperate resistance to the lifting of frontier barriers made by all groups threatened or concerned. The blind opposition of British trade unions and of British coal miners, even over the protests of their own union leaders, to the immigration of Italian miners, is rooted in bitter experience of chronic mass unemployment in British mines between 1920 and 1939. The French farmer's instinctive resistance to increased production goes back to the crises of overproduction he knew for half a century. Nothing will induce the French farmer to produce more if it is mostly for export. Agriculture depends on a stable and constant rate of consumption such as foreign trade—especially the arbitrarily manipulated foreign trade of our day—is incapable of guaranteeing. The French farmer will produce for a European market only if and when it exists. Thus things continue in the same old closed circle. Europe's adaptation to the new world situation demands thoroughgoing, long-range changes in her economic structure that cannot be effected unless her old national economic barriers are leveled. But at the same time, until these changes are made in full, entrenched interests in each country will go on resisting.

Modern techniques alone will not suffice to solve the problem of French agriculture in the midst of land-hungry and overpopulated Europe. A great part of France looks like an abandoned estate allowed to run wild; but across her eastern frontier are millions of German refugees from the East, most of them farmers without land; across her southeastern frontier are unemployed Italian farmhands, carpenters, and masons. France's economy could use them all. This is the perspective implicit in the idea of "Europe," but it is one instinctively rejected by a nation that wants to preserve her present personality and archaic way of life.

Across the Mediterranean lies France's African empire, which grows more and more restive inside the straitjacket of a French economy that is no longer equal to its development. In that "Declaration of Principles" which he enunciated in May 1950, Foreign Minister Schuman said that the unification of Europe's heavy industry would enable her to "realize one of her most urgent tasks: the development of the African continent." Since then a heavy pall of silence has settled over an idea that may be decisive for Europe's future. Is this a tactical precaution to avoid stirring up emotions? The "European Idea" has by now met with general approval, but apparently only on the condition that nobody really tries to put it into effect.

THE grandiose and inspired idea behind the Schuman Plan was to by-pass political assemblies, Strasbourg debates, constitutional drafts and proposals, and all fine-drawn distinctions between a federal state and a confederacy—and to proceed to make a real beginning by organizing on a supernational scale a group of industries that were important enough economically, politically, and militarily to open a decisive breach in the walls of national sovereignty. At the same time, these industries, being politically crucial, were dependent enough on state protection to make them amenable to political decisions. The result—and a result was attained—was the "European Steel and Coal Community."

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European heavy industry has never really been a part of "free enterprise" but has depended rather on a network of monopolies, cartels, centralized purchasing and distributing agencies, price-fixing agreements, production quotas, and pre-assigned markets. These heavy, vulnerable giants, so sensitive to every oscillation of economic, political, and armament policy, have for long been artificially nurtured by state monopolies, state subsidies, and state contracts; and their fateful role in politics has merely derived from this. Hence the war and its aftermath told more heavily and lastingly on their internal structures than on other sectors of European economy.

German heavy industry, to disentangle the exact ultimate ownership of which still defies the powers of mind, has by entering the European Coal and Steel Community won exemption from Allied controls and release from fetters on its production. The French coal industry has been nationalized, and the French steel industry technically revolutionized under the Monnet Plan by state and Marshall Plan funds, so that it is now able to play a competitive role. The heavy industry of the Saar—that needlepoint on the scales, that apple of discord, that connecting link—is partly sequestered and partly under French state control. Belgian and Dutch heavy industry, actually the only such in private, capitalist hands, is completely dependent on state protection nonetheless. Italian heavy industry, which has been admitted to the ECSC more on political than economic grounds, is completely and undisguisedly an artificial creature of the state.

The violent resistance of local interests has at times snarled the negotiations involved in the ECSC, and it has complicated its final organizational structure; but it should be added that these same interests have insisted on many justifiable modifications. How they cooperate from now on will determine how the Coal and Steel Community works out in practice. But the point is that they have been unable to hamstring the political decisions involved, and that, since this summer, Continental heavy industry has been functioning under a common central authority.

The fundamental objective towards which the ECSC is a beginning is as easy to spell out as it is difficult to achieve: by planned investment to create that economic structure which would have grown up on the European landscape had its industry been allowed to develop spontaneously in a common market area and not been distorted and crippled by frontiers, national jealousies, and armament races. At the opening session of the Coal and Steel Community, in Luxembourg, Jean Monnet, its creator and organizer, pointed out "how the North French basin reached toward Belgium, how the Belgian mines were linked with those of the Aix and Ruhr regions, how Belgium and Luxembourg shared the same geologic strata, the Saar Valley and Lorraine the same coal beds, Lorraine and Luxembourg the same iron ore deposits." Nothing else ought to be needed to show how superfluous economic barriers have become. Yet years of gradual revision, moratoria, and stopgap measures will be needed—and, above all, an era of economic expansion—to enable those enterprises, now unviable without state protection, to shift their production into new fields. Otherwise their new common market will bring them disaster.

Those who love slogans should think about these things and see how really emptied of content such alternatives as "planned" and "free" market economies have become in Europe's present situation. The real alternative, the one ultimately decisive for Europe's future above and beyond the question of economic unity, is *expansion* or *stagnation*. For which reason, this new initiative is doomed to paralysis and atrophy if it does not suck ever broader areas of the European economy into its orbit.

THERE can be no common market—even if all tariffs and restrictive quotas should disappear in the area covered by the European Coal and Steel Community—as long as the system of currency barriers in Europe is not done away with. The minimum de-

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sideratum is free convertibility; and a real currency union for those countries lacking gold or foreign exchange reserves is impossible without a common *financial* and *foreign-trade* policy. And without a common, if delimited, *political* authority, the administration of the Community will be left suspended in thin air.

If the indispensable expansion of the European Community industries is not to be based solely on the present rearmament boom, then the original central idea of the Schuman Plan, as laid down before the current wave of rearmament, must be put into effect: that is, the joint development of Africa. As in all creative undertakings there can be no marking time, only a choice between full steam ahead or sliding backward. The Coal and Steel Community is like a locomotive pulling behind it the European Defense Community, the Constitutional Assembly, the solution of the Saar problem, and even the Strasbourg Parliament with all its drafts and plans. Whether or not this locomotive will prove powerful enough to pull this long train to its destination, Europe in any event is now under steam, and it looks as though, in the end, the fear of derailing her hopes will prevail over every doubt and resistance.

THE Eden Plan to create a Europe of the six countries in the ECSC—France, Germany, Belgium, Holland, Luxembourg, Italy—within the framework of Strasbourg's European Council of the Fifteen, allowing non-members to attend the deliberations of the Six, has been accepted politely if not without some misgivings. Certainly the Strasbourg scaffolding should not be dismantled as long as the smaller federation is still an experiment, and a possibility remains of having to retreat from it to the older and looser federation. But to the extent that the "Little Europe" of the Six takes shape and pattern, the disparity between those who are in it and those outside, who look on more or less benevolently, will perforce grow greater and greater.

Even now, before receiving political form, the Coal and Steel Community already functions as a genuine authority with staff, budget, concrete tasks, permanent working bodies, and that sovereignty which spurs an organization to broaden its powers and functions. The observers the Strasbourg consultative body is sending to the deliberations of the CSC will soon find themselves wondering exactly what business they have at them. Contrasted with the "Little Europe" of the Six, the peripheral states, from Sweden through Ireland and from Portugal to Turkey, can scarcely be said to represent a common body of interests vis-à-vis the Coal and Steel Community, nor do they have legal authority to represent their respective national interests. Meanwhile, Great Britain—as well as America—has accredited a sizable economic delegation of her own to the preliminary meeting of the Community. Obviously other states, whether members of the Strasbourg body or not, will follow suit.

THE Strasbourg Europe was too big or too small, depending on the point of view. Too big to form a cohesive whole, or rather too dispersed in its membership, which stretches in a half-circle around the Soviet land mass from the Norwegian cape to Mt. Ararat. Too small to furnish a roomy frame within which Great Britain and the Commonwealths could move freely. That frame is provided by the Atlantic Alliance, from which only Sweden is absent. Between the Atlantic Pact and "Little Europe," the Strasbourg body would seem condemned to an increasingly shadowy existence. It has done the indispensable spadework without which the present "break-through" would have been unthinkable; it has given the European Idea a tribune, and it at least continues to embody the postulate of a Europe greater and more ample than that of the Six, greater and ampler than mutilated Strasbourg Europe itself, from which Central and Eastern Europe are missing. Thus in the history of European unity—if that history ever gets past the first chapter—it will appear as a prelude analogous to the Frankfort Parliament in the history of German unity.

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THE reality whose lineaments are now emerging will certainly not stand comparison with the ideal. This new Europe is so narrow, so prosaic, so fragmentary that the name "Europe" may appear a usurpation. And neither the Coal and Steel Community nor the planned European Army has up to now awakened any such rapturous enthusiasm as greeted the high-flown speeches at Strasbourg. The architects of the "Little European Separatist" organization are not men of oratorical gifts or, it seems, endowed with the power to stir imaginations. But if this Little Europe is far from embracing the farthest-flung horizons of the "whole West," this limitation itself gives it the capacity to form a truly organic unity. That the steel and coal powers have organized themselves into a group functioning in the midst of a unitary, palpable, and compact industrial landscape endows Little Europe with inner strength—that strength which lies in any attempt to restore a situation to the order inherent in it.

Nor is Little Europe quite so small and insignificant as it may look to the disappointed. Once it really decides to fledge its wings, it will have open to it the material possibility of really becoming the world's second industrial power. And, also, it will have Africa open to it as room for expansion. These two potential assets may stay available for only a short time longer, but beyond them lie still others.

It should be recalled that the first formulation of the Schuman Plan set a large if delimited goal: "The French government proposes that the totality of German and French coal and steel production be merged into a common organization open to all other European countries." Here, coal and steel cloaked a political idea: Franco-German union. Whatever the prospects for a Greater Europe, all European history is there to tell us that its core must be Franco-German union. And everything else can only come as something over and above such a union.

To have pursued this goal unerringly, doggedly, with craft and obstinacy, against stormy, noisy opposition and mountainous indolence, such is the tremendous achievement of two old, deeply conservative, lackluster, taciturn, and very lonely men, who, acting over the heads of their own ministerial colleagues, their own foreign ministers, their own parliamentary parties, and in defiance of public opinion, knew they would earn neither thanks nor popularity: Robert Schuman and Konrad Adenauer. Both have been abused in their native lands—most loudly by their respective extreme lefts, which seemed bent on securing a monopoly on chauvinism. But if a Europe does arise, it will turn out to be the work of only a few men, these two above all.

WHEN we look for the ultimate background for the policies both Schuman and Adenauer pursue, we stumble upon a singular discovery. Their Europe has become greater than the Franco-German project, though remaining smaller than the promise of Strasbourg; its outlines—even to the Elbe border marking off West from East Germany—follow in the most astonishing detail those of Charlemagne's Empire before its division into Germany and France.

We ought not interpret this discovery too romantically—historical conjuration of things dead has been the most fatal of Europe's hereditary maladies. Nevertheless, this coincidence is not devoid of significance. The Carolingian Empire was the first state-created European form to emerge from the turbulence of peoples after the fall of Rome, the real beginning of Western European history, when the Arabs stood at the Pyrenees and the Slavs on the Elbe. It was a turning point that appeared to contemporary chroniclers as the restoration of the Christian Roman Empire, created and transmitted by the Catholic Church, the only preserver of an otherwise dead Antique tradition: the original kernel out of which the whole of Western history grew.

It is both unjust and silly to speak of a "Vatican Europe," as the German Socialists and others did; the Schuman Plan is no ecclesiastical entity, and no priests attend the Luxembourg sessions. But it remains

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that this new Europe in the making is, originally, the creation of a small group of Catholic statesmen who, amid postwar chaos, were the only ones to share a common world image, a common tradition, and a common language—much in contrast to the Socialist parties that set the tone during the first postwar years in nearly every European regime from London to Prague and Warsaw, and from Stockholm to Rome, and whose ideological internationalism during this fateful period seemed to be guided by one lone rule of conduct, namely, that one's shirt is closer to one's skin than one's coat.

Schuman, Adenauer, and De Gasperi are certainly anything but visionaries, and their social philosophy may have faults, but their policies draw on a tradition of a continuity and length sadly lacking to all mere ideologues. What, perhaps, distinguishes them is that they experienced the European tragedy as *Europe's* tragedy—not as a national or partisan tragedy—that as true conservatives they were aware of what had to be preserved as well as discarded, and that they retained that genuine revolutionary spirit which can renounce much in order to cling to the essential. Compared to them, how curiously old-fogeyish many of the people's tribunes look who have dominated the European stage these last few years!

HOWEVER, Europe will not emerge solely from the cabinet politics of a few obstinate statesmen or from the ground plans of the Coal and Steel Community authorities. Now that the first real steps have been taken, public opinion, hitherto unmoved by plans and contractual texts, will have to choose between agreement and rejection. Henceforth diplomatic chess moves will no longer suffice to overcome the passive resistance of half-hostile, half-indifferent parliaments and peoples. On their answer will depend whether the items of European discord are turned into stumbling blocks or building stones.

The Schuman Plan was the answer to the envenomed controversy over industrial hegemony brought to a head by the issue of the Ruhr's future. The project of a European Army, greeted at the outset with unanimous scorn, was the answer to the seemingly insoluble problem of German armament, a problem charged with emotions of a kind not readily overcome. For the bitter controversy over the Saar, Adenauer and Schuman found an answer in "Europeanization"—a slogan whose concrete content both are still cudgeling their wits to define. A kind of automatic process has set in, for diplomats, that assimilates every insoluble political problem at home into the general one of a "European solution."

The technical nature of the Schuman Plan enabled its exponents to outwit their own parliaments and own public opinion by a *fait accompli;* only a very few knew what was going on. For any further progress along these lines, and above all for the building of a European Army, such chess-playing tactics will no longer work; and it would be fatal if they did. A federation without the approval of the federated would be a monstrous and disastrous creation. So it is all to the good that the "anti-Europeans" have emerged into the light.

Whatever Pinay, Herriot, and Daladier had in mind when they spoke out in Bordeaux against the European Defense Community (the long interregnum of the American election encouraged European politicians to play, like school children when the teacher is out of the room, all sorts of strange games), they did bring the debate out into the open; and the issue required open debate. One can even be thankful to SS-General Ramcke for having put the world on notice with his shocking speech at Verden that revealed the uglier side of the German will to rearm. There is a kind of sullen, confused opposition, in many cases shunning the light of day, to a European policy that itself only too often fought shy of public discussion; and it is high time this opposition was smoked out and made to speak aloud.

When legal sanctions for European projects that were never submitted to public discussion are wrung from parliaments that act out of bad conscience and with secret

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reservations, only chaos can ensue. Now, at last, the opposition—the Herriots and the Daladiers—have taken the floor and when they are through talking it will become that much clearer that all their alternatives are unacceptable. One such unacceptable alternative, for Germany, is to rebuild the Wehrmacht with its old cadres and old spirit, a chilling prospect. For France, an analogous alternative is to go back to the old habit of seeking Russian protection against Germany—that old trickster Daladier, the last survivor of the Big Four at Munich, seems to have learned just enough from what has happened since 1938 to stand the truth squarely on its head.

Nevertheless, not all the apprehension over the "Little Europe" experiment is unfounded—not even that which sees it as a threat to "national interests." Breathing actual life into the concept "Europe" may awaken forces that did not enter into the calculations of the planners. European nationalisms can hardly be overcome without being merged into a big *new* nationalism. And this process, most discernible now in Germany, throws a light on many fears in other countries. Europe is afraid of herself, as it were. If what is left of this free continent closes ranks under the banner of "Europe," mutilated Germany will begin to appear merely as a special aspect of a mutilated Europe; German irredentism might change overnight into European irredentism; and German nationalism, already inflamed by amputation, could imperceptibly change into a European nationalism fed by the consciousness of Europe's unbearable mutilation. For Europe ends at the Elbe even less than Germany does.

Further, what people now call, by way of simplification, anti-Americanism, would reemerge in an entirely different form out of a *European* nationalism. But Europe's realization of her dependence on America will provoke nationalist resentment—European or otherwise—in any case.

It is perhaps too early yet to begin thinking of the possible extent and dangers of a European national self-consciousness. Yet such a nationalism would be the only catalyst that could transmute the blueprints of European planning into psychological realities, just as it offers the only possibility of redeeming Europe from her sterile and morbid dreams of fallen greatness. If the relations between America and Europe, which up to now have been too much like those between a nurse and a moody patient, are to be put to a fresh test, it will do no harm if the patient's tone becomes more self-reliant and realistic. The patient's outcries, far from being a cause for concern, are a sign that it is high time to get him out of bed and back on his feet.

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MEDICAL SCHOOL QUOTAS AND NATIONAL HEALTH

Discrimination That Hurts Us All

LAWRENCE BLOOMGARDEN

THERE is a well-known joke about the boxer who rushes out of his corner at the opening bell only to run into a barrage of punches that leaves him weak and staggering. At the end of the round the fighter stumbles back to his corner and asks his manager, "How am I doing?"

"Great!" the manager replies. "He hasn't laid a glove on you."

Round after round the beating continues, with the fighter being continually reassured: "You're doing great. He hasn't laid a glove on you." Finally, the boxer turns his battered face to the manager and mumbles between swollen lips, "Well, keep an eye on that referee, will you? *Somebody's* beating the hell out of me!"

AMERICA'S single most important welfare problem—most authorities have long agreed—is the endangering of the nation's health by a shortage of medical care and particularly of doctors; and this supposedly organizationally ingenious nation has not yet found a way of improving this situation. Worse, we use wastefully the scarce physicians' training facilities we possess: some of the best candidates we have for the all too few places in the medical schools are barred in favor of less fitted individuals. The racist discrimination in admissions policy that every pre-med schoolboy knows exists is, thus, not primarily the problem of those discriminated against: it is a blow against the nation's health. This article is the result of years of study by LAWRENCE BLOOMGARDEN, who, both professionally and as an avocation, has addressed himself to unearthing the tangled roots of this problem since the early 1940's, when he served as case consultant to the Physicians' Committee of the National Refugee Service. Mr. Bloomgarden was born in New York City in 1907, is a graduate of Syracuse University and holds a law degree from New York University. He is on the staff of the Civil Rights Department of the American Jewish Committee, and he has had the benefit of the use of research and other facilities of the Committee in this study.

The unsuccessful applicant to medical school can appreciate the position of the unfortunate pugilist, particularly if the applicant is Jewish. The chances are that he too will never know what or who hit him. He will find himself rejected but may never know the reason why. He will see other applicants, whom he knows to be inferior in scholarship, accepted. He knows of the solemn assurances of the medical schools that discrimination on their part, because of race or religion, is unthinkable. And if he lives in a state which, like New York, has legal prohibitions against such discrimination, he has the added comfort of knowing that his rights to an equal opportunity for a medical degree are protected by law.

Yet, indubitably, somewhere along the line something happens, and our hypothetical applicant finds himself hanging on the ropes and wondering what hit him.

In truth, to stretch the metaphor, it isn't even easy for the spectator to find out what is going on. Numerous, subjective, and shifting criteria for admission to medical schools make the picture a scrambled one and considerable patience and ingenuity are required before the claims, counter-claims, and highly inaccessible statistics can be fitted together into a coherent whole.

The overriding element in the whole medical school picture is the simple fact that not everyone who wants to can become a doctor. Of course not everyone who wants to can become a millionaire, or, for that matter, a chorus girl, either. But there is no conscious, well-organized effort on the part of others to limit the number of chorus girls or millionaires.

For the prospective doctor the case is far different. For even if he has the brains, the ability, and the money, he may not be able to

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become a doctor. Of the more than 20,000 qualified applicants who yearly apply to medical schools, only about 7,000 can be accepted. The medical schools can and will take no more. This anomalous situation, where about one out of three qualified candidates for a profession are accepted for training, is in itself a novelty in America, where it is customary to think of careers being open to all who wish to pursue them.

LIMITATION was not always the rule in American medical schools. A half century ago it was possible for almost anyone with a high school education to enter medical school. In 1905, for example, 5,600 doctors graduated from medical schools to serve a national population of 83 million. Not until 1950, when our population had reached the 155-million mark, were as many as 5,600 doctors again graduated in one year. Between those two dates an event took place that virtually revolutionized the medical profession. That event was the Flexner Report of 1910.

The Flexner Report, undertaken through a grant of the Carnegie Foundation, was a devastating indictment of American medical education. It showed that only 82 of the 155 schools then in existence were associated with established colleges or universities; the remainder were privately owned institutions, most of them run for profit, and lacking fundamental equipment for training. Standards were incredibly low compared with European schools. Facilities for clinical training were meager.

The report resulted in the immediate reorganization of medical education in the United States. Most of the weaker schools closed down; by 1927 only 79 had survived. Clinical training on an intensive scale was introduced, and by 1920 the now familiar system of high-grade four-year university schools was well established. American medical schools rapidly became equal to any in the world.

The closing of so many medical schools meant, of course, fewer new doctors. By 1923 only 3,100 doctors were graduated, as compared to almost twice this figure eighteen years earlier. During the next ten years the number rose and in 1933, 4,800 doctors were graduated.

The relatively slow expansion of approved medical schools after the Flexner Report had knocked out roughly half of the existing institutions may be accounted for largely by the tremendous expense of educational facilities in this field. It costs approximately $12,000 to train an American doctor over the full four-year period. Of this sum, only about one-fourth is covered by tuition. The remainder must come through private contributions or state aid.

A rough idea of what is involved in the launching of a new medical school can be got by glancing at the prospective budget of the new Yeshiva University nonsectarian medical school. This school will train 100 doctors per year beginning next fall, and it will cost $10,000,000 just to open its doors, while the completed medical center will come to $25,000,000. Even in America that kind of money is not easily obtained for non-profit-making purposes. Yet even these prohibitive costs, although they undoubtedly slowed up the necessary expansion of medical schools, would not have halted it altogether. It took a special situation to accomplish that. The "situation" was the depression of the 30's.

By 1933 the depression had badly hurt the medical profession. The $11,000 average annual income of physicians in 1928 had dropped sharply. Patients by the millions could no longer afford to pay for medical care. The leaders of the profession met this crisis the same way that many leaders of industry, trade unions, and farm groups were meeting similar crises. They cut back on production. After an intensive study, the Council on Medical Education of the American Medical Association came to the conclusion in 1933 that there were too many doctors. It issued a report advising medical schools that the training of physicians should be "drastically curtailed." As has been said, almost thirty years earlier, in 1905, medical schools had turned out 5,600 doctors annually to serve a population of 83 million. Now

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the AMA was taking the position that 4,800 doctors per year were too many for a national population of 125 million.

MEDICAL schools did not waste much time in putting this advice into practice. Although actually there was not much of a cutback (less than a 5 per cent curtailment in entering classes occurred from 1933 to 1936), the natural expansion process was halted completely. Since the number of applicants continued to rise with the expanding population of the country, the competition for the available training rose sharply.

Able to pick and choose among the throng of eager applicants, many of the schools engaged in arbitrary and even bizarre methods of selection and rejection. State and municipal medical colleges began severe restrictions on the admission of non-residents. Private medical schools, on the other hand, adopted policies designed, they maintained, to produce a representative geographical "spray" (distribution) among their student body. While these opposing policies might seem to cancel each other out, the actual effect was just the reverse. A large group of candidates were caught in a squeeze whereby they could not get into out-of-state medical schools because they were non-residents, and the local schools refused them because they were residents. Thus, a native of Texas has an even chance of getting into a medical school when he applies. His medical schools prefer Texans. A New Yorker, however, has only one chance in four of being accepted for training. His medical schools also seem to prefer Texans. This makes things fine for Texans, not so good for New Yorkers.

At this point a nasty word must be used. Discrimination was not unknown in the medical profession before 1933. Indeed, in 1931 Heywood Broun's famous book, *Christians Only*, amply documented discriminatory practices in the medical schools. It showed, for example, that in 1927, 80 per cent of the non-Jewish applicants and almost 50 per cent of the Jewish applicants from City College were accepted into medical school, while only three years later the non-Jewish acceptance were 74 per cent while the Jewish admittances had fallen to less than 20 per cent.

But there were several factors which served to ameliorate discriminatory tendencies in the pre-depression era. For one thing, total applications to medical schools were only 12,000, of which the schools could accept half. This meant that one out of every two applicants would in any case be accepted. Again, although only 20 per cent of the Jewish applicants of City College gained admittance to American medical schools in 1930, an additional 13 per cent were accepted by foreign medical schools. Both these ameliorative conditions were fundamentally altered by the report of 1933.

THE immediate effect of the AMA report, intended or not, was to produce a sharp reduction of Jewish students in the entering classes of 1934, 1935, and 1936. From 912 in the freshman classes of 1933, the number dropped to 617 in 1936, a reduction of almost one-third.* This clearly met the AMA standard of "drastic curtailment," even though, as we have seen, the over-all reduction of all medical students was less than 5 per cent in the same period. The brunt of the new policy, therefore, was borne almost exclusively by Jewish students. Cuts would seem to have been greatest in Eastern areas where the bulk of the Jewish applicants came from. Thus, in 1932, the College of Physicians and Surgeons of Columbia University accepted thirty-three Jewish applicants, in 1936 only twelve. Four Philadelphia medical schools showed a decline in Jewish enrollment from 103 in 1934 to 58 in 1936.

The AMA in 1933 was not only concerned with the domestic production of American doctors but the foreign as well. As the report of its Council on Medical Education observed: "To permit the large number of applicants who cannot be accommodated in the medical schools of the United States to study abroad and then return here to practice would inevitably lower the standards and corrupt the ideals of medicine."

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This AMA observation was shortly followed by a program designed to have state boards withdraw medical licensure opportunities from graduates of foreign universities, a program which met with at least limited success. Most of the students studying abroad, significantly, were Jewish.*

The rationale for these policies was not neglected, nor left implicit, by the policy-makers. In 1937 and 1938, *after* the pattern of discriminatory admissions had been firmly established, a number of medical educators attempted to justify it. One view, urged by the then secretary of the American Medical Association, himself Jewish, was that the number of Jewish applicants were "overwhelming" American medical schools. Evidently, the difference of less than 300 Jewish students per year between the earlier admissions and those established under the restrictive policies of 1933, out of a total entering class of 6,000, was that between a reasonable and "overwhelming" number.

ANOTHER point of view, advanced by Dean Willard C. Rappleye of the College of Physicians and Surgeons of Columbia University, was that the "representation of the various social and religious groups in medicine ought to be kept fairly parallel with the population make-up." This argument, based on the quota theory of religious and ethnic representation, was the rationale most commonly advanced for discriminatory policies. How the theory operated in practice was graphically explained by Dean Ladd of the Cornell Medical School in a letter of 1940. He wrote: "Cornell Medical College admits a class of eighty each fall. It picks these men from about twelve hundred applicants of whom seven hundred or more are Jews. We limit the number of Jews admitted to each class to roughly the proportion of Jews in the population in this State, which is a higher proportion than any other part of the country. That means that we take in from 10-15 per cent Jews. The same qualifications hold in picking Jewish students as in picking Gentile students; that is, they are judged not only on the basis of scholarship, but on character, personality, leadership, etc.

"Mr. ———— had a number of good qualities, but in the opinion of the Admission Committee there were a number of Jewish applicants who applied to the Medical School who surpassed him in desirability."

In other words, Jews and non-Jews were rated on separate scales. According to the Dean's figures, 700 Jews and 500 non-Jews on an average applied every year. Of this number, approximately 10 Jews and 70 non-Jews were selected. A Jewish applicant to Cornell, therefore, had one chance in seventy of acceptance, a non-Jewish applicant, one in seven. In effect, this meant that many "A" Jewish students would be turned down, while "B" and "B—" non-Jews made the grade—a situation hardly of service to the medical profession or its patients.

The whole quota policy was once known under the less delicate term of the *numerus clausus*, instituted in Poland and other East European countries on openly anti-Semitic grounds. From almost any point of view, the argument in favor of quotas has been found lacking in logic, fairness, or good sense. It is manifestly subversive of the democratic ethic that citizens be treated and judged as members of racial, religious, or national blocs, and not as individuals. It is clearly an argument of convenience, never used to justify expansion of opportunity for minority groups, but only for limitation. It is never said, for example, that Negro medical students should constitute 10 per cent of the total to correspond to the Negro percentage of our population; nor is it ever argued that Jewish executives in banks and insurance companies, two fields in which Jews are poorly represented on the administrative lev-

*Traditionally, of course, many European medical schools, particularly in pre-Hitler Germany and Austria, and in Switzerland, had the reputation of having *higher* medical standards than American schools. By 1933 it is probable that the gap separating the medical standards of the two continents had largely disappeared, but this was the first time that a responsible American medical group had suggested that European schools were *inferior* to ours.

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el, should equal 4 per cent of the total to correspond to the Jewish percentage of the American population.

A GREAT deal has happened, of course, since Dean Ladd's letter of 1940. For one thing, it is no longer good form to justify or even admit discrimination. For another, several states, including New York, have laws specifically prohibiting such practices.

Another factor in the modern medical picture is the acute national shortage of physicians which became obvious at the end of World War II. Medical educators themselves estimated in 1945 that 20,000 more physicians were badly needed, and the report of the President's Committee on Health Needs of the Nation indicates a prospective shortage of 30,000 physicians by 1960.

In the face of these clear needs, the AMA seems to have revised its earlier views on the overproduction of doctors. In June 1951 it announced that "it has no desire to limit the production of properly trained physicians to serve the American people." And it emphasized its willingness to encourage the expansion of medical training facilities. The AMA has also reversed its attitude toward foreign medical schools. State licensing boards have been urged that graduates of foreign schools "be accorded the same opportunities for licensure as graduates of approved medical schools in the United States." It should be noted, however, that the Council on Medical Education, in its 1952 report, observes that "opportunities for American students to obtain a medical education in the better foreign medical schools are diminishing." The medical schools in Great Britain, for example, are now accepting very few Americans because of their own need for more doctors.

This combination of changed public attitudes, new state laws, and an acute shortage of doctors has brought some important changes in the techniques of admission by medical schools. "Techniques" is the correct word here, for the aims, and the results, would appear to be about the same. The Jewish applicant still too often finds himself on the outside, a victim this time of one or another of current admissions criteria.

THE problem of criteria is worth some investigation because the medical schools rest their whole case upon it. The dialogue generally begins when a rejected Jewish applicant notices that other applicants, with grades lower than his own, have been admitted. He wants to know why. He is told that personality factors have also been considered. If he has applied to Flower Hospital Medical School in New York he learns that his "diction, voice, physical appearance, grooming" have all been weighed. This information may not make him happier, but it certainly discourages him from pursuing the investigation further.

Admittedly, such personality factors as "diction, voice, physical appearance, grooming" may contribute to the well-known bedside manner and therefore to the average doctor's success. But a pathologist or research worker may go through his entire career without ever seeing a live patient, while a surgeon who leaves a sponge or a clamp inside his victim would need an unusual bedside manner indeed to mollify his outraged patient, or placate the bereaved family. And when one considers the personalities of some outstanding pioneers in medical history, and finds that a frequent common characteristic is a kind of pig-headed obstinacy, a quality seldom associated with a sunny disposition but very useful in overcoming the opposition of eminent fools, it is cause for thanksgiving that men like Ehrlich, Koch, and Freud did not need the assent of the Flower Hospital Admissions Committee in order to study medicine.

Sir William Osler, the great English diagnostician, once said: "There are only two sorts of doctors; those who practice with their brains, and those who practice with their tongues." The Flower Hospital admission requirements would seem to favor the second.

Even when personality criteria are not used as a conscious—or unconscious—cover for prejudice, objective evidence seems to cast great doubt on the worth of such criteria for ad-

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missions. The Menninger Clinic in Topeka, Kansas, has recently been studying methods of improving the selection of physicians for psychiatric training. Teaching psychiatrists gave intensive interviews to the candidates and then rated them as to probable aptitudes. No applicants were excluded by this process, the sole purpose being to determine the value of personality interviews in selecting physicians for the training program. Comparison between the performance of the candidates and their interview ratings with *trained psychiatrists* revealed a correlation of only +.2. This is only slightly better than the interviewers could have done by flipping a coin. Seven out of the ten top trainees, rated on performance at the conclusion of the training, would have failed to qualify if results of the personality interviews had been used to bar candidates.

Obviously, physicians on admissions committees do not have the competency of trained psychiatrists in judging personality qualifications. Yet they have not hesitated to use these subjective criteria in deciding who shall and who shall not enter medical school. And when the record of Flower Hospital shows, as it does, that Jewish applicants are rejected three and a half times as often as non-Jewish applicants of comparable scholarship by these personality criteria, the inference is overwhelming that the admissions committee is concerned not with personality but with something very different.

Geographical criteria may constitute a legitimate admissions requirement where some private medical schools wish to establish a national character. As for state medical schools maintained with tax funds, they are under obligation to prefer residents. Yet geographical criteria are only legitimate where they are fairly and scrupulously administered. In New York, private medical schools use highly elastic geographical criteria for reasons which are at least dubious.

In 1950, the New York State Department of Education studied the admissions practices of nine medical schools in the state. The study threw grave doubt on the real purpose of geographical criteria in some of these schools. It was discovered, for example, that non-Jewish residents of New York found it just as easy as non-residents to get into private medical schools. Only Jewish residents found it more difficult to get into such schools—ostensibly because they were New Yorkers. It appears that geographical criteria are indeed used—but only if the applicant is Jewish.

The study also showed that more than 30 per cent of the Jewish applications whose grades on a comparative basis should have entitled them to admittance to some school failed to get into any medical school in the state. This figure of rejections would have been much higher had it not been for the liberal and eminently fair admissions policy of two of the nine schools, New York University and the State University at Long Island Medical College. These two accounted for more than two-thirds of all the Jewish medical students in the state. The other seven showed a sharp distortion in the proportion of Jews to non-Jews accepted on a comparative scholarship basis.

JUST what happens when a medical school is free to juggle these various criteria may best be understood by a brief case study of Cornell University Medical School's admission practices.

Cornell follows a declared policy of limiting the number of students it will accept from any one preparatory school. It distributes its 80 available places among an average of twenty-five colleges. Most of the premedical graduates of New York University, Columbia University, Syracuse, and the City Colleges of New York are Jewish. By limiting admissions to one student each from NYU, Syracuse, and City College, and two from Columbia, Cornell can dispose of as many as 200 Jewish applications with one or two acceptances. Since the graduating class of each university usually contains a sprinkling of closely bunched top-grade students, if only one or two are chosen from each school it is possible to weed out Jewish applicants rather easily without too obvious discrimination in any particular case. Only when an over-all analysis discloses that non-Jews are

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chosen over Jews of comparative scholarship on an eight to one ratio, does it become clear how such a system operates in practice.

An even stronger indication that Dean Ladd's admitted 10-15 per cent quota of 1940 is still in force today comes through an examination of Cornell Medical's treatment of applicants from Cornell University itself. Here, the question of school could not be a factor since all applicants came from the same one.

The 1950 study showed that 20 pre-medical graduates of Cornell University were accepted into Cornell Medical School out of 64 applicants. Twenty-nine of these applicants were Jewish, 35 non-Jewish. Although the average grades of the Jewish students were about 10 per cent higher, the acceptances were in inverse proportion to the grades on a group basis, with 5 Jews and 15 non-Jews admitted.

The Department of Education study of Cornell admissions policy included personality evaluations for each applicant from at least three faculty undergraduate advisors. These evaluations, based on the teacher's appraisal of the student's aptitudes for medicine, were combined with the scholarship grades to provide an over-all average for each student. The personality evaluations of the Jewish students tended to be much lower than those of the other students, probably a reflection of the advisors' pessimism on the Jewish applicants' chances of getting into medical school. However, on the basis of the joint averages of scholarship and personality, there were 18 Jews and 18 non-Jews who qualified as either "superior" or "good." This over-all evaluation predicted with almost complete accuracy the fate of the non-Jewish "superior" and "good" applicants, 15 of whom were accepted. Yet it failed miserably to foretell the fate of the 18 Jewish students, only 5 of whom were accepted. Evidently, factors other than "personality"—vague as that criterion is—or scholarship, are important when applying to Cornell Medical School.

Conceivably, a defender of Cornell's admissions policies might contend that the desire to get a broad geographical distribution of students, and not discrimination, was important, since most of the Jewish applicants came from New York City. This contention does not stand up under examination. Cornell Medical School appears to have no consistent pattern of acceptances for New York City residents. In 1949, it accepted thirty from New York, in 1950, fifteen. A variation of 50 per cent in consecutive years precludes geography as an important factor in admissions policy.

HERE a delicate question must be raised. Cornell, after all, is in New York State and New York has had an Education Practices Law since 1948 designed to eliminate just such policies. To put it mildly, something would seem to be amiss in the enforcement of the law.

Actually, the responsible state authorities have not been blind to these violations. Certain measures have been taken evidently aimed at correcting such abuses. Yet these have clearly not been enough.

Already mentioned was a 1950 study of medical school admissions practices by the New York State Department of Education. This study itself is a curious hodge-podge. It contains all the facts and raw data necessary to establish probable "unfair education practices"—the requirement under the New York State law. Yet it never analyzes or assembles this data in any meaningful fashion and, above all, it shies clear of judgments and conclusions. Instead, it is satisfied with the mournful statement that, "While the data in the survey establish conclusively the existence of differential rates of acceptance for various groups of applicants, it is less certain to what extent this differential should be interpreted as discrimination, since it is impossible to determine how much of the differential can be accounted for by the operation of factors of legitimate nature, such as residence or type of undergraduate college."

The same analyst, however, held a different opinion at an earlier stage of the study as to what proof was needed. In the planning stage he observed that discrimination is established by showing a statistically signifi-

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cant difference in treatment. In any case, it seems incredibly obtuse not to realize that it is precisely the legitimacy of the criteria which such a study must evaluate if it is to have any worth at all. Barring outright confession of discrimination, any case for or against the medical schools must necessarily rest completely on an analysis of these criteria in the light of their effect on the composition of the student body. And in this particular study, a simple transposition of the accumulated data to IBM cards, which was never done, would have automatically disclosed the illegitimacy of the criteria by revealing mathematically the effect of the religious background factor.

An exception to this general criticism can be made. A special analysis for the data pertaining to Cornell Medical School was completed and the conclusion reached that the evidence "strongly suggests that Cornell is using a quota system in admission of Jewish pre-meds." This material was not presented in the final report nor were any steps taken by the Department of Education to compel compliance with the law.

One last, sad fact remains to be told about this unhappy study. It was never released. After conferring with the deans of the New York medical schools, the Board of Regents discovered "defects" in it, and, to the obvious relief of the medical schools, withdrew it. Another study was promised, this time by the Board of Regents.

The Board of Regents study has been concluded and will shortly be released. Preliminary information on its contents are not encouraging. They indicate a discursive, historical treatment of the general problem of discrimination and medical school admissions policies, rather than an incisive analysis of specific schools.

If these rumors are confirmed, it may be confidently predicted that the Board of Regents study will be quickly relegated to the voluminous "file and forget" dossiers of the New York medical schools. Innumerable studies, reports, and articles have been written, and countless high-level approaches to the problem have been made. Many of those most actively engaged in eliminating discrimination in the medical schools have, by now, reached the conclusion that what is needed today is a mite less stratospheric diplomacy and a few blunt attempts to have the law enforced. Certainly the facts seem clear enough, and although there is an understandable reluctance to offend the sensibilities of the medical educators, the fact remains that the medical people have shown themselves to be remarkably insensible to the feelings of others.

Unfortunately, the restrictive admissions practices of New York medical schools are by no means unique. Although the greatest problem exists in that state, discrimination in American medical schools elsewhere can be equally documented. Studies of admissions at Pennsylvania medical schools, for example, show similar practices.

It is a cliché that discrimination hurts everybody, but in medicine it can be demonstrated almost mathematically. The possible contributions of those high-caliber students who have been barred from medical school by discriminating quotas must remain, of course, matters of conjecture, but the actual contributions of Jewish physicians who obtained their degrees only because of the more liberal policies of foreign medical schools are on the record. The many outstanding doctors in this category stand as effective rebukes to existing criteria of selection. The assistant director of research at one of the largest cancer hospitals, who has made significant discoveries in the field; the young doctor at Seaview Hospital who has played a leading part in developing and testing, the new anti-TB drugs; a brilliant psychobiologist at Creedmore State Hospital who has done pioneer work in disclosing the relationship between mental disturbance and organic brain pathology, thus opening up the possibility of treating neuroses and psychoses by medication, surgery, and other direct methods; a doctor who has made major contributions to research on the cellular structure of aging persons in the new field of medicine called gerontology—through

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which techniques of prolonging life are now being sought – foreign med schools found room for these men after American schools had turned them down. Yet it is a sobering thought that, today, these four doctors, among many others of similar caliber, could probably not obtain a medical education, for the foreign opportunities have been severely curtailed. One wonders how many like them have been turned away from a medical career.

Nor is there any evidence that present interview techniques and personality criteria are even successful in eliminating the emotionally unstable among prospective doctors. Indeed, what evidence there is would indicate the contrary. A study in 1942 of medical students at Cornell, Illinois, and Chicago revealed that about 25 per cent were in serious need of help for various emotional problems or psychiatric disabilities. And in a recent study by Edward A. Strecker and colleagues, of a senior medical class, 46.5 per cent were found to have neurotic handicaps of major character. Facts such as these impelled the American Psychiatric Association at its recent Conference on Psychiatric Education to urge the rapid development of objective indices for measuring the emotional stability and psychological fitness of medical candidates, to replace the hit-or-miss methods of present admission boards. And it is worthy of note that the conference concluded that "for the present, grades are probably the best single criteria for admission since . . . we do not know as yet what special qualities make a good medical student or a proficient physician, and thus do not have other criteria."

The moral or practical case against discrimination in medical schools need not be labored here. It has been found to lack any justification whatsoever apart from that of protecting vested interests at the expense of the health and welfare of the nation. Yet even those who admit the fallacies of quotas will sometimes refer to the "disproportionate" Jewish interest in medicine. This point needs no refutation, only comprehension.

THE interest of Jewish students in medical education is, of course, a fact. The interest of Italians in the opera is also a fact. The particular talents and interests of ethnic or cultural groups have always served to enrich mankind and, particularly in the United States, have traditionally been seen as forces to be encouraged and nurtured. Jews of genius like Maimonides, Amatus, Ehrlich, Wasserman, Freud, and Schick, to mention only a few, have made inestimable contributions toward the prolongation of human life and the alleviation of suffering. Maimonides' daily prayer of a physician, which reads in part, "May there never develop in me the notion that my education is complete, but give me strength and leisure and zeal continually to enlarge my knowledge," expresses the thirst for knowledge that has traditionally motivated so much of Jewish interest in medicine and other sciences. Even today it is significant that about half of the articles in the various American medical journals which provide new knowledge in the field of medicine are written by Jewish physicians. Yet this admitted Jewish interest in and aptitude for medicine is being deliberately thwarted by a policy of drastic curtailment.

Undoubtedly, the interest of able young Jews in medicine is accentuated by lack of opportunity for them in many other attractive pursuits. So long as the junk business rather than steel, and the loan business rather than banking, are the choices available, enthusiasm for rewarding professions like medicine will be great. This simply illustrates the unbalancing effect on the whole economy of discrimination in any particular field. The tragedy is that the medical profession, which serves the nation so directly, should work to strengthen discriminating tendencies in American life instead of combating them.

The larger tragedy is that the medical educators responsible for recruiting new members to the profession should be selecting them on grounds of prejudice, not competence. As a result, our doctors are not as good as they should and could be. So while prejudice in medicine hurts Jews directly, it also hurts everybody else indirectly.

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HOW LIVE BY JEWISH LAW TODAY?

A Proposal for Those Who Have Fallen Away

HANS JOACHIM SCHOEPS

WE JEWS of the mid-20th century live today in what might be called a post-Jewish situation. That is to say, the reality of each day's living is such that it is no longer possible for most of us to experience our Jewishness simply and directly. This is true for both America and Europe—it may even apply to the secular State of Israel—and must be fully appreciated by anyone who hopes to say something about the present situation of Judaism that will be to the point.

It is time for us to renounce all fictions of the "as if" kind. We can not act *as if* we were still living in the ghetto and *as if* it were possible artificially to keep alive the way of life that flourished there; we can not act *as if* the laws of the Torah still signified for most of us the rules of conduct; *as if* fear of God and not self-aggrandizement were the common fact; *as if* the sermon's conventional opening words, "Worshipful congregation," really applied to those seated beneath the pulpit, who may be ready to listen to their rabbi's opinions only if he is a "good speaker." There is no point in deceiving ourselves: the Jew of today may be the grandson or great-grandson of a pious man, but he himself is completely a man of his age. The newspaper has more interest for him than the Bible, and he prefers the movies to an edifying Midrashic (not to say Halachic) discourse.

And, really, there is a question as to whether he is not perhaps right, after all, in his preference; for the events enacted on the movie screen probably have more meaning for him in the concrete circumstances of his life than an exposition of a problem in the Law or in the ritual regulations of cleanliness. Law and ritual are often something he no longer even understands, or at least can no longer regard as meaningful and apposite to the problems of his daily living. It is of little help to the Jew of today to ponder the problems his fathers racked their brains about, for the circumstances out of which the problems sprang have disappeared or grown incomprehensible. What a friend of mine wrote in connection with the Maimonides memorial year has a general validity: "On the whole it is impossible to make an alien existence one's own; the best one can do is . . . to *co*exist with it. But there are already great stretches of time for which this is no longer possible. The eight hundred years that separate the Jews of today from Maimonides are not to be rolled back. There is only the hope that—if we genuinely inquire in our own time as to the meaning of Judaism—we shall somewhere, sometime, light upon Maimonides. . . . True studying, however, means

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THE most difficult question in contemporary Jewish religion, of whatever variety, is what shall be done with the Law, that elaborate code of ritual and action which, in the course of centuries, came to define Jewish religion almost completely. The Reform Jews have discarded it, the Orthodox Jews preserve it, the Conservative Jews select from it—and there is a whole range of positions between these positions. As for the individual Jew, for some decades now he has been at a loss as to what attitude to take; and now that there is a movement of reattachment to Judaism, the question has become a matter of concern to many newly "returned" Jews. HANS JOACHIM SCHOEPS here states some of the dilemmas in which modern man becomes involved when he tries to find a suitable approach to the Law, and attempts an answer. Dr. Schoeps is a leading German Jewish theologian and historian of religion who was first introduced to our readers with his article "A Religious Bridge Between Jew and Christian," published in February 1950. The present translation, from the German, is by Martin Greenberg.

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first of all not Maimonides, *it means ourselves.*"

The question, then, is: how shall a modern man reconcile the Judaism that was with the Jew that he is?

As THE Jew of all previous centuries understood it, the great turning point in Jewish history, the real breach of the historical tradition, was the destruction of the Temple by the Romans under Titus in the year 70 C.E. It is generally agreed that we have the Pharisaic theologians of the time to thank for the fact that this rupture of the historical tradition did not prove fatal and put an end to Jewish history altogether. It was the sages of Jabneh, of Lydda, of Caesarea, and Bene-Brak who were the first to develop the concept of the "as if" into an enduring principle of Jewish history. The theocracy no longer existed, but its constitution remained in force as if it did. The Temple no longer existed, but Jews the world over bowed in prayer in its direction as if it did. The High Priest no longer made his expiatory sacrifice on the Day of Atonement, but the ritual formula was learned and recited on that day as if he did. Meanwhile, other things took the place of the actual sacrifice: study of Torah, good works, prayer—the fulfilling of these commandments counted as much as the animal sacrifice of ancient times.

This disregard of the actual facts, this abstracting of Judaism from every reality of the here and now, was a huge accomplishment. It did indeed "save" Judaism—that is to say, by means of the "as if," Judaism was adapted to exile and was removed to the plane of the timeless. The faith of the Jews proved more real than reality and overcame it. The sages of Jabneh assumed, as the most self-evident thing in the world, that the royal decrees of God the King as set forth in the constitution of the Covenant (the Torah) were as valid in their day as before. Hence they strove, by putting up "a fence around the Torah," to preserve Judaism in isolation from time and space. From Johanan ben Zakkai to Joseph Caro, law was heaped on law, and in defiance of all reasonable expectation Judaism was successfully translated to the timeless, the Jews learning to live their lives more or less alongside time.

This was a greater feat than Alexander's conquests or the empire of the Caesars. For it effected a paradoxical retroactive annulment of historical fact: the Jewish state turned out not to have fallen at all in the year 70, but was preserved in its laws and lived on, metamorphosed, in the ghetto. It was Johanan ben Zakkai, the betrayer of his country to the Romans, who became its savior, and not the nationalist Bar Kochba, whose reaction to his country's disgrace was only—a patriot's. The sages of Jabneh proved more farsighted than the Zealots, with a farsightedness that reached seventeen hundred years into the future. During this time they reigned supreme—because the laws they had clung to did not remain mere fictions but *became a reality through faith.* It was only in an age of disbelief that they became fictions—that is, about the beginning of the period of Western European emancipation.

It is therefore the Emancipation that is the most fateful breach in the continuity of Jewish history, for this time there was no bridge improvised to span the abyss. Where the Tannaim of the 2nd century had succeeded in making over the Law to suit the new historical epoch, the Reform rabbis of the 19th century signally failed. Now the thread was really broken, and the great question that had lain hidden, all these years, in the heart of the year 70 first revealed itself for what it really was: the question of Judaism's destiny. The Emancipation for the first time shattered the inner historical coherence of Judaism and put an end to the legislative power of the Jewish state, which thanks to Johanan ben Zakkai had maintained a fictitious existence-through-faith seventeen hundred years beyond its actual end. With the disappearance of the ghetto, faith as a collective phenomenon and the all-inclusive regulation of life according to the Mosaic law ceased to exist.

Moses Mendelssohn's generation was the last to hold completely with the sages of Jabneh, regulating their lives according to

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the unabridged Mosaic law as fixed by Moses Isserles and Joseph Caro. Since then the number of families remaining faithful to the Law—of whom Samson Raphael Hirsch was a representative spokesman in the 19th century—has steadily declined. For a host of others, whose numbers increased generation after generation as the observance of the Law fell off (until only a pure distillation of the ethical element—little more than the Ten Commandments—remained), the ancient Law was but a fiction, because faith was lacking.

Once the fence was torn down, and once the Jews had established themselves in the new reality of the modern world, all further need of the "as if" became superfluous. However, from Michael Creizenach and S. L. Steinheim to Leo Baeck, Jewish thinkers have been sensible of the void that had arisen within, and now began to pose more and more urgently the question of the "essence of Judaism." Their question, in short, was: what now was left of Judaism?

WHAT is it, in a Law suffering a gradual loss of all authority, that is worthy of surviving? What is the Jewish faith today? Wherein is it to be found and how can it be established?

There is nothing in the Jewish tradition to countenance the asking of such questions; and because such questions were never asked before, no earlier answers exist to guide us today. All those who have not perceived the belated manifestation, commencing about 1800, of the fatality concealed in the year 70, who have not perceived the growing untenability of the "as if" set down by the sages of Jabneh, will never recognize the right to ask these questions. But it is vital for us that we ask them, for it has ceased to be apparent why the body of the Jewish people should still maintain its separate identity if the individual Jew is going to know as little as he does about the origin (election) and end (God's supremacy) of the Covenant, and its constitutional obligations (Law).

It is therefore legitimate to ask what are the basic tenets of the Jewish faith—on this question the further existence of Judaism depends. If one has a deep enough understanding of the question, deeper at any rate than the 19th century's, one must ask oneself if it is possible for men today to realize the Covenant in their lives. The man of today, no longer feeling any need to justify himself before God, answerable only to himself for his observance or non-observance of the Law, will no longer countenance God, faith, Law, and the Covenant of Israel as the *a priori* of his consciousness or the whole content of his life. Jewish Orthodoxy has nothing to say to him. For it to speak to modern man, it would have to be able to divorce itself from its presuppositions, and its very inability to do so is what constitutes its greatness; if it could really make itself comprehensible to him, it would cease being Jewish Orthodoxy. The Levitical laws of purification, or the concept underlying the application of most of Jewish law—that man, by the correct fulfillment of these laws, from time to time becomes *yotseh* (perfect) before God—are now as incomprehensible as the well-reasoned Halachic belief that the turning on of an electric light or talking over the telephone on the Sabbath is against the will of God. The direct and unbroken connection of civilized life in the 20th century with the will of God manifested four thousand years ago can no longer be perceived.

The *factum brutum* confronting us today is just this apparently ineradicable disharmony which has arisen between life under the Law and the modern secular scientific and technological understanding of reality.

YET to almost every living Jew for whom the Bible is not an entirely closed book, the answer that men had once made with their lives to God's summonses can never be lost. Even in periods most distant from the primal source, these constitutive events of Judaism will be understood, and Jews must willy-nilly hear the words by which Scripture declares their eternal election and preservation. For Jewishness—which is not merely the experience of anti-Semitism but also the sense of an eternal pattern and recur-

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rence—is an ineluctable destiny, as we in the mid-20th century are coming to recognize. Events have prompted us once again to discover ourselves as Jews. *It is no longer the case today that the Jewish teachings instruct us in our destiny, but rather that our Jewish destiny recalls us to the forgotten Jewish teachings.* Thus our way to Judaism lies in a direction clean contrary to tradition's: our way is that of a modern, historically conscious Jewish theology.

If a modern Jew who has blithely accepted the life he leads as a citizen of contemporary America or Europe or the State of Israel comes to question the meaning of his Jewish origin, which even in the 20th century causes him to suffer the fate of the Jew, then Jewish theology has a real answer to give to his question. The answer goes something like this: our sufferings have their origin in the denial or forgetting of something that goes back three and a half millennia and which has nothing at all to do with our being "for" or "against" it, an event that befell our fathers, was reported in the Bible, and so has been handed down through all history. God elected Israel to receive His Covenant, out of His free will He chose one people among the many on earth. To understand the essence and the destiny of the Jewish people, one must understand its origin as being spiritual yet real: God took one people for His own, calling it to represent His royal will. ". . . ye shall be Mine own treasure from among all peoples; for all the earth is Mine; and ye shall be unto Me a kingdom of priests, and a holy nation" (Ex. 19: 5-6). Or as Buber has translated it, giving a sharper accent to its meaning: "And ye shall become unto Me a realm of priests, a nation singled out from amongst all the others." Israel, by the unfathomable will of God, was chosen as the object of His intention to conclude a compact with His creation. The terms of this Covenant, ever since the event on Sinai, is the Law of the Torah, by which the Jews shall be placed under God's will. Taken, therefore, in the legitimate Jewish sense, the Covenant is an objective matter that has nothing to do with the will, wish, or allegiance of the individual Jew and thus is not dependent on whether a modern Jew can comprehend it or not. At Moriah, and in the promise made to Abraham, all the seed of Israel were chosen—everyone born of a Jewish mother since that time has a share in Abraham's election, becomes with Isaac a son of the Promise, and by his birth acquires membership in the Covenant. The external symbol of this is circumcision, marking the Jew as a sharer in the Covenant of Abraham. This is circumcision's "sacramental" meaning —it is not a hygienic measure, but a means to annihilate the historical distance dividing the Jewish child from the primal father Abraham; through circumcision a Jewish child becomes contemporaneous with Abraham.

TODAY we see how this sacrament has lost its efficacy, how it seems no longer possible to achieve this contemporaneity, because our *being*, as determined for us by Jewish destiny, and our *consciousness*, as modern men, gape apart. This schism of being and consciousness is the crisis in which we find ourselves today. The modern-minded Jew no longer acknowledges his original Jewish destiny, abandons that law of his origins which separated him from the world, and tries to dwell in the world a man like other men. But the destiny of his being, that being which his membership in the Jewish collectivity willy-nilly gives him, does not change because his consciousness has changed; the schism between the two is the Jewish fate as we know it today. There is no variety of assimilation that permanently succeeds, neither the assimilation of individuals nor that other assimilation which wants to place the Jewish nation under the laws of other nations. It has never failed, in all the centuries that lie behind us, that an Israel wanting to free itself, to throw off the yoke of its separateness, has been compelled to resume its life apart, its "sanctification." "And they shall be upon thee for a sign and for a wonder, and upon thy seed for ever. . . . And the Lord shall scatter thee among all peoples, from one end of the earth even unto the other end of the earth. . . . And among these nations

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shalt thou have no repose, and there shall be no rest for the sole of thy foot; but the Lord shall give thee there a trembling heart, and failing of eyes, and languishing of soul" (Deut. 28: 46, 64, 65).

Now these are all things which a modern man without faith can very well see for himself, for they are part of a history that continually repeats itself, and which those generations, in particular, upon whom the punishment is visited learn to understand. In every case this is what we are left with: the responsibility of reflecting on the underlying causes of our Jewish destiny in order to arrive at a true understanding of it. This indeed is not yet Jewish faith, but taking thought in this way may lead to it. By this historical-theological approach, by coming to know the continuity of Jewish history, we catch sight of a part of the Jewish reality which otherwise would be concealed from us. It can, indeed, inspire a man with a truer adherence to the Jewish reality than all the so-called "positive" approaches, which in the last analysis are for the most part merely unreal and anachronistic attempts artificially to reconstruct the past.

But the historical-theological approach by itself can do no more than teach the modern Jew a historical lesson; it cannot make a believer out of him, change the reader of a "sacred hieroglyph" (Ranke) into one who beholds the revelation of the living God. It can only lead him to the threshold, confront him with the Jewish reality; all the learned study in the world cannot do more than this. To go further—for the person who has been led to acknowledge the spiritual truths of Jewish history to become a believer—he must turn from the general and abstract to the personal and concrete; the historical truth of the election of Israel that he has perceived must pass out of his abstract understanding and be realized in his personal existence. And this brings us to the last possibility of contemporary man. The laws recorded in the Bible must be felt not only as commandments to the generation of the wilderness, but to oneself, God's word spoken to oneself, to which one makes answer with one's life. *How* this happens it is impossible to say, because it is one of the secrets between God and man. One can and must, however, speak of what it leads to, for everything leading to the reality of the Covenant leads to the charter of this Covenant—the Law.

When a modern Jew thinks of the Law, it is of a series of "fine old customs" whose practice was an important part of the life of his parents or grandparents. A Jewish theology which simply insisted that these "fine old customs" were the "real" Judaism he was seeking, would be a deception. It is of course possible in every age to experience God's will in forms and customs too; yet one must first have felt it at a deeper level of one's being.

A man who has grown aware of Judaism's importance to him is not helped appreciably by a theology that sends him to the ritual precepts of the book of Leviticus without at the same time telling him that he will only understand their meaning after he has read the books of Genesis and Exodus. He will not then, as he reads, pass lightly over the account, at the beginning of the Bible, of Adam's disobedience to God. He will not fail to see the exemplary character of this first man's disobedience (sin), endlessly repeated in the lives of all the sons of Adam (particularly of the great ones of this earth). God, however, it is shown to him, keeps faith with the faithless, and in mercy makes his Covenant with one people whom he has called from among the peoples of mankind. This Covenant is based upon the promise and the Law. The Law points out to each man, and each generation, who are forever backsliding anew, the right path to what is "good" in the eyes of God. The generation that was vouchsafed the revelation, the generation of the wanderings in the wilderness, handed down as Law what for them had been their answer to the divine summons. However, each subsequent generation faces the task of distinguishing, amid the precepts and prohibitions recorded for the most part in Leviticus, God's commandment to *it*—that

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is, *through the Law it must come to understand the revelation.*

Martin Buber once wrote as follows to Franz Rosenzweig on this point: "I don't believe that revelation is ever lawgiving; and in the fact that lawgiving is always its result I see the fact of human contradiction, the human factor." God's pure word is changed in Moses' mouth into human words and dogma, God's pronouncement veils itself in the Law of Torah, the Word vanishes behind the word. But this insight of Buber's does not lead to a flat rejection of Law. He does not doubt that the generation receiving the revelation perceived truly the will of God; there is only the doubt that God's will as handed down—the Law as fixed in the Torah—can be taken over wholesale in later times by generations not vouchsafed the revelation. To make it truly one's own, to "believe," it must first have been experienced as *commandment;* it must first have been heard as the answer to the questions of one's own life—or as Buber puts it, "only so much of it (the Law) must be acknowledged as I can acknowledge as having been said to me." In this way, to be sure, the universal validity of the Law is lost; but this loss of the unchanging and universal Law is precisely what defines the modern situation.

DESPITE this loss of a universal and timelessly valid Law, I feel certain things can be asserted with confidence. The first and foremost religious possibility for the individual is and will always be through the ethical. Though in the Bible the moral commandments go hand in hand with the ritual, sacrificial, dietary, and marriage laws, they are nevertheless separable from them. Tradition was well aware of this, but had no reason to attribute any great importance to the matter. Today, however, the preeminence of the ethical is plain, for the moral law is an elementary demand whose insistence every human being can feel (hence the primacy of the Decalogue for all men), whereas this is not at all the case with the dietary laws or the sacrificial regulations.

Thus, for example, the force of the commandment, "Thou shalt love thy neighbor as thyself," can be felt by everyone in every age for the very reason that man does not love his neighbor, does not keep his neighbor's good in mind. But here it can happen that one feels one's offence, and in the distress of this feeling can come to see one's behavior for what it is, a falling away from the will of God. In the moment that a man acknowledges his guilt the word of God has found its way to him. In discovering that God's will and man's wish are not the same, the primal wound of life is opened in him, and he is driven by the pain he feels to seek that help which human hands can no longer give him. In this divergence of the human and the divine, God's sovereign claim upon mankind is recognized and man's faith in his supposed self-sufficiency dwindles to nothing. For in the claim that God asserts upon us by His commandments we feel our helplessness, we realize that everything we are and have is held in fee from Him, is a sign of the creature whom his creator has summoned to do His will. Where this original disparity between the Almighty God and creature man is made to live again, there is always the possibility of God's drawing near to us out of His remoteness, His will coming to guide our life, His commandment passing into our life as "Law."

Life is not a pursuing of necessarily brief and infrequent encounters with the Divine, but a continual living and doing of what in these encounters we have been called upon by the Divine to do—a living of the Law. Yet it is also true that the Torah can never become the law of man's life today without his discovering it for himself in this encounter with the Divine, for modern skepticism forbids his accepting his forefathers' laws save if he has learned them with his own life. Today the realization of the Law is only possible to a post-skeptical attitude of faith that has weathered every doubt.

AT THIS point, to be sure, a host of questions confronts us. How many and which of the laws is it possible to realize today? Will it be possible eventually to realize all the Torah laws, or is it not the very na-

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ture of this modern religious attitude to bar us from realizing the majority of them? At what point will a halt be called, or will the modern man of the Torah go on to make the law of the red cow a constituent part of his life? What implications are there in this approach for adult religious education?

Merely to ask these questions, however, shows how impossible it is to fix a new objective standard of the law. No new Shulchan Aruch can be truly derived from the modern sensibility—to try to do so, as many Reform and Conservative Jews would like, would merely bring on a schism. The way of all those who, in our time, have seen the Star of the Covenant and have gone forth to make the Law once again an effective reality in their lives, lies through the same old countryside but no longer along the same road. For, Franz Rosenzweig once wrote, "there has been no road there these one hundred and fifty years. Its prolongation into modern times, to be sure, 'is still there,' but under the best of circumstances this is only one among innumerable roads, no longer *the* road. So we shall have to content ourselves with the unity of the countryside. Let us hope that the day will come when there will be a main road running through it once again. And I believe that that day will come. Or rather not some *one* road surely, but a *system* of roads perhaps. But this can only be guesswork today. It isn't time yet for systems. Building our individual roads, however, is the right way to go about it."

Franz Rosenzweig himself found such a way, a way to recapture and reintegrate Jewish law with one's personal life; he returned to the observance of *kashrut*, to respect for the Sabbath, and to daily prayers. He achieved all this step by step, and by himself. He championed "something," *his* "something," against Orthodox Jews who wanted "everything" and atheist Jews who wanted "nothing." In a letter to Rudolf Hallo, dated November 27, 1922, he wrote:

"Here, as everywhere else, I reject this Everything-or-Nothing politics. Neither the Everything nor the Nothing belongs to us; the Something does. The Something is given to us. We have to settle ourselves down in the Something. I don't say that my particular Something is an example for anyone else. What may be taken as an example is that I have the courage—just as much against the idealists of the Nothing as against those of the Everything—to live in my Something. This cannot be exemplary as regards detail. I'm really only beginning. I don't know what will come out of it, and don't want to know. I hope and know that others are beginning, too. Something exemplary will develop out of the whole. I, we, all those who don't say 'Everything or Nothing,' are today trying once more to do what Jewish liberalism tried to do a hundred years ago and failed in. It failed because it tried to set up principles first and then act according to them. These principles remained, like the ones they opposed, officers without soldiers, hence fathers without children. We begin with the act. Let the principle for it be formed in time to come, by ourselves or by others. I silently hope that, some day, in decades, I shall know the principles, the laws, 'the Law,' at last, and that I shall once again be able to open my mouth and teach. But it doesn't matter whether it's I or others —the best would be: I and others."

A deep insight into the nature of the Law is at the bottom of this: Judaism is *not* Law. It *creates* Law, but is not Law itself. It "is" being a Jew.

What Rosenzweig again and again came back to was living experience, not the dead appropriation of stores of knowledge, forms of tradition, or even the imitation of lives lived by others, but the realization of Biblical law in one's own life out of inner necessity. The Law, which as written in the Bible stands for everyone, should in this hour become a living command precisely for *me*. And anyone who studies Torah in the right frame of mind can, like me, come upon this re-transformation of Law into commandment. Rosenzweig experienced what had been experienced in ages past: the priority of revelation over Law, the priority of God as Lord over God as Lawgiver. "Only man in his sluggishness changes the commands into

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Law—by the way in which he carries them out—changes them into something systematized, capable of being obeyed without fear and trembling."

FRANZ ROSENZWEIG's way has been an example for many people of our era; but neither his way nor another's can serve us all in common. All of us today must go our several ways—ultimately, we feel sure, to arrive at the one goal where all our ways shall meet. That goal lies beyond all our individual lives. We have no authoritative Judaism of our own to set over against that of earlier times or against the Judaism of those among us who still represent that earlier time in their lives, and we may look ashamed on all our miserable efforts bespeaking, it would seem, no more than the weakness of our faith. Yet such as it is, we must stand by it as our life's reality, and seek to realize so much of the Torah as we individually can, according to our living faith. We may feel ashamed and self-conscious at setting aside Friday evenings for quiet conversation with friends, instead of going to the synagogue and lighting candles at home. But if that is all we *can* do—that is what we *must* do.

So long as every one of us today strives to make real the possibility that is his, we can be certain that our contemporary Jewish faith, for all its inability to realize the Law in full, has not yet ceased to be part of the tradition.

And should we meet up, as we go our way, with those figures standing at the beginning of post-Biblical history, I am confident that the great rabbis will indeed smile in astonishment at the appearance of their descendants, but they will surely never despise us. They, who have handed down sayings that all our ponderings shall never exhaust, will surely stand in awe before the mystery of God's ways. Ben Azzai said: "Despise no man and deem nothing impossible for there is not a man that has not his hour, and there is not a thing that has not its place" (Aboth, IV, 3).

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DOING BUSINESS THE IRAQI WAY

A Wall Street Man in Bagdad

C. BERKELEY COOKE, JR.

ON MAY 24, 1951, while glancing through the business pages of the New York *Times*, I came upon the following box inserted among the financial advertisements:

WANTED

Man with banking experience, and, if possible, some legal knowledge, age 40 to 50. Must be American citizen with good appearance, to proceed forthwith Middle East to supervise liquidation of bank. Substantial salary and free transportation.

Presumably many of us have wondered idly what lies behind these advertisements whose writers feel strongly enough about them to pay to lift them from the anonymity of the classified pages. In this case I decided to go beyond idle curiosity. I had been in Wall Street for more than twenty-five years, I had all the listed qualifications, I was rather bored with the routine of the investment banking business, and I decided to respond. Three weeks later I had an American passport, an Iraqi visa, and a round-trip air ticket to Bagdad.

My commission, as it turned out, was to liquidate the affairs of a Jewish-owned bank which was laboring under impossible difficulties imposed by a hostile Iraqi government.

In answer to my response to "Z7235," I had received a letter signed by J. I. Sassoon on the stationery of the American Nile Corporation, inviting me to an interview, and shortly thereafter was asked to sign a contract commissioning me to liquidate the affairs of the K. A. Zilkha Maison de Banque, which had been doing business in Bagdad since 1899. Mr. Zilkha himself, the owner of this bank as well as four other banks in the Middle East, and also of the American Nile Corporation, an export-import business, was in Paris, and it was from him that I was to receive my full instructions.

Here in New York my first task was to get a visa to Iraq—my employers could do nothing in this connection since no Jew was allowed to enter Iraq, and it was quite likely that even a Christian, going to Bagdad with the objective of defending the cause of a Jewish bank, would not be admitted. The strategy was up to me: and I decided to get letters from my former business firm, members of the New York Stock Exchange, stating that I was proceeding to Bagdad on important business in connection with banking and investments (unspecified). These impressive credentials, and I believe, too, the imposing "front" I was able to present to the consul, combined to break down the usual strict questioning. Ordinarily a confirmation by cable from the authorities in Bagdad was required before a visa for the purposes specified in my application was issued; as it happened, however, my visa was ready for me the same day I applied.

AT THIS point, I equipped myself as thoroughly as I could for doing business in Iraq. I got a letter of introduction to the

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C. BERKELEY COOKE, JR., has been in Wall Street, handling various posts for banking and investment houses, for twenty-five years. As he relates in this article, he was entrusted with a delicate commission in Bagdad in 1951. What he saw there in the course of his dealings with bankers, businessmen, and politicians tells us as much about the way of life, political, economic, and moral, of that agitated Near Eastern country as many a weighty tome. Mr. Cooke is a graduate of the University of Virginia. During World War I he commanded U.S. Submarine Chaser 239. The firm with which he is now connected is Steele and Company. He lives in Watch Hill, Rhode Island.

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American Ambassador there from my Congressman; a general letter attesting to my character from my Senator; and I went to Washington to get information from the Division of Protective Services of the Department of State, as to what I might expect to find in Bagdad. They gave me what seemed to be excellent and informed advice. In a letter I received, before I left, from the officer in charge of the Middle Eastern area I was told:

"You may be interested in some information recently received from our Embassy in Bagdad. They report that Mr. Zilkha's Bagdad representatives appear to be confident that the Guardian General of Jewish Property will shortly issue an authorization permitting the bank to resume operations. After the exemption has been established [Zilkha, as an American citizen, was exempt from Iraq law], then the Embassy foresees no untoward danger to the person of an American negotiator, so long as he conforms to the laws of Iraq. It would be advisable, however, for you to proceed on your mission as unobtrusively as possible for there is no foolproof safeguard against the chance act of an extremist. The Embassy points out that the normal obstacles to any American not familiar with complicated Middle Eastern official and semi-official procedures, in liquidating such a banking operation as Zilkha's, would be considerable. However, no extraordinary obstacles are foreseen beyond those normally encountered in such a procedure."

Finally, all that remained to be done was to be immunized against a variety of general, subtropical, and peculiarly Middle Eastern diseases. Unfortunately, I was told, there is no immunization for F.U.O.—"fever of unknown origins"—prevalent in Bagdad, or for Bagdad boils, which usually appear on the face, are caused by the sting of a desert fly, last about eighteen months, and leave a hideous and deep scar.

THUS equipped, I proceeded to Paris, to receive from K. A. Zilkha himself a full briefing on the situation in Iraq.

I am only an ordinarily informed American citizen; and what he had to tell me was new and, I must confess, shocking.

Mr. Zilkha, owner of the Bagdad Zilkha Bank, was originally an Iraqi citizen who had left Iraq in 1927 as the result of a blackmail threat. After living in terrible suspense and fear for the better part of a year, he had gone to Beirut, where he established a branch of his bank. In time he opened other branches, in Damascus, Cairo, and Alexandria. Mr. Zilkha had never returned to Iraq, and in 1948 he had become a naturalized American citizen.

But after the war with Israel began—and Iraq is still in a state of war with Israel—the citizenship of Iraqi Jews, whether Iraqi or American, meant nothing, and they were all treated as enemies—and indeed worse. The Zilkha Bank was required to pay a special "war tax" of 34,388 Iraq dinars ($100,000) to help finance the war against Israel. In 1950, the bank was ordered to cease all dealings and operations in foreign exchange, a very profitable department of its business. In May 1951, the bank had been finally padlocked by the Guardian General of Jewish Property and forced to cease all operations—and it had, in addition, to pay a fine of ID 1,000 ($2800) imposed for closing the bank! By this time 151,000 Jews—there had been 155,000 at the outbreak of the war—had already left Iraq, for the persecution had of course not been confined to the Zilkha bank, and person as well as property was threatened. In April 1951, advertisements in the New York press notified the refugee Iraqi Jews that those who failed to return within forty-five days would have all their property confiscated. It was not easy to draw the line between this and outright robbery.

It was for these reasons that Mr. Zilkha had decided to wind up the affairs of his Bagdad bank and since he could not return himself, he placed the advertisement which had led to my selection from about forty applicants. Now I was to proceed to Bagdad to use whatever skill I possessed to settle the affairs of the padlocked bank. Naturally, there was no question as to my personal safe-

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ty—except, of course, as I from time to time remembered, there was "no foolproof safeguard against the chance act of an extremist."

And Bagdad in the summer, I soon discovered, was not conducive to cool heads. The temperature averages 118 degrees in the shade, and to leave the plane—as I did on July 6—is like walking into an oven.

I was to live at the Alwaiyah Club, built by the British in 1915 as officers' quarters, and which, with its extensive grounds, its swimming pool, its meals served on the lawn, its excellent servants ready to anticipate every wish, its roof on which we slept (the nighttime temperature was 100 degrees inside the club), and its truly friendly and helpful residents, made my stay as pleasant as the climate permitted. But first I needed a residential visa—and for that I was required to give written documentary proof that I was not a Jew. (It would seem that the simplest way of determining this, for an uncircumcised Gentile Christian, is by direct physical examination, but perhaps because the Moslems are themselves circumcised, the C.I.D. —Criminal Investigation Department—was satisfied with documents.)

The information I had received from the State Department before I left, I discovered, was sound, and the Zilkha Bank had been allowed to reopen the day before I landed. On July 7, the day after my arrival, I met with the two bank officers, Abdullah M. Yedid and K. M. Toeg, nephew and brother-in-law of Mr. Zilkha, to review the situation. We drew up a complete statement of condition, showing loans outstanding, deposits, and names of depositors. It was evident at a glance that the bank was insolvent owing to two huge frozen loans—about which we will have more to say later. The condition was not of course helped by the excessive and extraordinary "taxation" under which the bank was laboring. The depositors were demanding their money daily. They were almost all Jews; those who held cards signifying they were naturalized could withdraw their funds and were anxious to do so; the funds of denaturalized Jews, on the other hand, had to be turned over to the Guardian General of Jewish Property ($70,000 in deposits were thus confiscated).

We decided we needed about $160,000 in new funds to cover a possible run on the bank. I hesitated to use the regular mails to notify Mr. Zilkha in Paris of the situation because Mr. Edward F. Crocker, our Ambassador, had warned me of the possibility of censorship of mail. Luckily, I was able to make arrangements with our commercial attaché for my letter to Mr. Zilkha to go by diplomatic pouch. It was no simple matter for Mr. Zilkha to arrange to have these extra funds made available for us, since once foreign funds entered the country, Iraqi law did not permit them to get out. We hoped that, ultimately, the depositors could be paid off by the bank's assets, if and when recovered. In that event, there would be no way of recovering the foreign money we were asking Mr. Zilkha to make available to us. What he did therefore was to arrange for a local British bank, the Ottoman Bank, to give us a loan covered by collateral deposited in a bank in New York.

In any case, Zilkha guaranteed payment in full to all depositors from his own personal fortune. His was a private bank, and under Iraqi law he was personally liable for any loss to depositors. He had plenty of cause to refuse to recognize this responsibility, in view of the persecution to which the bank had been subjected. But he did have to consider the effect such a course of action might have on his other Near Eastern banks. More significantly, the National Bank of Iraq, equivalent to our Federal Reserve bank, held the two bank officers, Mr. Zilkha's relatives, personally responsible, and could hold over their heads the threat of refusing to permit them to leave the country.

Of course they were very anxious, as was almost every Jew in the country, to leave as soon as possible. They lived in daily fear—not for their property, which they already knew to be in large measure forfeited, but for their own safety and lives. Every day a few remaining loyal depositors would gather

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at the almost deserted bank building and huddle together, talking with the bank officers and telling each other of new outrages. These men had once been prosperous and active businessmen; they were now afraid to transact any kind of business at all, not knowing what new form of persecution and loss this might bring down upon them. They told me of one of their colleagues in Basrah, the only Jewish member of a firm of automobile dealers which had got into financial difficulties through mismanagement. The Moslem partners, in the prevailing hysteria, placed the entire blame on the Jewish partner; a mob dragged this man from his home and hanged him to a tree before his wife and family. (In January 1952, a month after I left Bagdad, I read of the hanging on a public gallows in Bagdad of two Jews accused of being members of a Zionist underground and caching explosives in Jewish homes and synagogues. They never received a fair trial. The New York *Times* of January 21 reported the executions.)

The exodus of the Jews had had a damaging effect on the business life of Iraq. A very large proportion of the trained and intelligent workers in the country were thus lost. The British banks on whom I called told me that their clerical forces had been depleted by two-thirds, and they could not find enough English-speaking, intelligent, and responsible Iraqis to replace them. I also discovered, when I tried to have some tailoring done, that all the good tailors had been Jews, and had left.

IT WAS under these circumstances that I undertook the most difficult and delicate part of my task, the recovery of our frozen loans. I had at the first managed to establish good relations with the Governor-General of the National Bank of Iraq, Abdul Illah Hafidh, a relative of the Regent. The Governor-General was all-powerful in directing the affairs of every bank in the kingdom. Portly and middle-aged, Abdul Illah Hafidh had the reputation of being a rather pleasant and talkative man whose favorite subject of conversation was the weather—particularly during the summer. I arranged an interview with him through Lionel James Daniel Phillimore, chief cashier of the National Bank (an Englishman loaned to the National Bank as an advisor by the Bank of England), who had become my good friend. After the usual delays and formalities, I was introduced to the Governor-General at his spacious offices, and, sure enough, he began his conversation with a blast at—the weather! How was this American withstanding the fierce desert heat? Was he enjoying his stay during the torrid summer in Bagdad? Allah! Allah! Had the weather become a boon to the Zilkha Bank?

I promptly explained that excessive perspiration, healthy sterilization by the fierce sun, and daily exercise in the artesian-well swimming pool of the Alwaiyah Club had worked wonders for me and my diabetic condition.

Diabetes? The governor was also so afflicted. A solid friendship of mutual understanding was thus established. And every personal and business courtesy was shown to me thereafter in my dealings with the National Bank.

I HAD now to get down to the most serious part of my business—and this was to collect ID 37,500 ($105,000) from his Excellency Nouri es-Said, Prime Minister of Iraq, and ID 66,130 ($185,000) from Iraq's former Minister to France, a leading politician who was now a drug export-import merchant, Abdul Aziz Bey al Mudhaffer. There were of course other assets: a number of small loans, Iraq government 3 per cent lottery bonds, other securities and real estate the liquidation of which was slow but not too difficult. But the greater part of the bank's assets was tied up in these two loans to important political figures. The problem was to collect without endangering the two Jewish officers of the bank.

I decided to begin by applying "low pressure." I called on the top officers of the three largest British banks and offered an exchange of bank-credit information on the depositors of the Zilkha Bank. It was thus learned,

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much to Zilkha's surprise, that Mudhaffer had a line of credit with a number of British banks, and, much to the British banker's surprise, that he had defaulted on $185,000 of loans from us. Nouri es-Said, on the other hand, had an absolutely clean record and was reputed to be an honorable person. Despite this reputation, none of the other banks was willing to take over his loan from Zilkha, even though it was fully secured by collateral representing stock of the Iraq Spinning and Weaving Company, a prosperous concern controlled by the royal family.

It was not long before the "low pressure" began to work. The news that an American liquidator for the Zilkha Bank was present in Bagdad quietly reached the large creditors by grapevine. More precisely, Gerald Dent, manager of the Ottoman Bank, called Mudhaffer to a conference with him. As a consequence, on July 28 Mudhaffer called in person, unannounced, at our bank. He agreed to a meeting for the discussion of a settlement of his account about six weeks from that date, on September 4. The "weather was too hot" for him to talk business before that date. I noticed, however, that his debts had been contracted in the summer heat. Apparently it was never too hot for that kind of business.

It took somewhat longer for our other major debtor to appear. But on August 23 the Prime Minister himself called at the bank accompanied by an official police escort, soldiers, guards, and screaming sirens. Nouri turned over to us a dividend check from the Iraq Spinning and Weaving Company, received on the stock we held as collateral, and also paid ID 750 ($2800) in cash, making a total payment of ID 2625 ($7800) in all to the credit of his account. Ironically, three days later, his Excellency, escort and all, returned to borrow back ID 500 ($1400) of the money he had just paid! This was on a Sunday, while I was in church. (The Bagdad business week is only four days long, the holy days of Moslems, Jews, and Christians all being observed. Business hours are 9 to 12, except for religious holidays. And during this twelve-hour work week, I rarely saw a great deal of work being done.)

We heard no further word from Nouri for two months. In the meantime he went abroad several times to negotiate with the British on the oil concessions, and it could be seen from the press that he was very busy with affairs of state.

MEANWHILE, it became necessary to bring to bear all the pressure we could on Mudhaffer, to force him to keep his promise to discuss his debts on September 4. We had to overcome all sorts of excuses and alibis. Finally, in order to come to a quick settlement, I offered him a discount of approximately 80 per cent of what he owed us, and he agreed to settle for ID 12,000 ($33,000). The money was to be paid in a series of bills due monthly for twenty-four months. When it came to signing the new bills at our meeting on the evening of September 4, Mudhaffer suddenly refused, saying that "upon his honor" he would return to sign the bills the next morning at ten o'clock. We never saw him again—except for a brief glimpse of him in the back of his chauffeur-driven Cadillac, riding around the streets of Bagdad.

What could be done? A good part of the Iraqi legal profession had disappeared with the departure of the Jews. No remaining Jewish firm would dare to press such a case against a man as powerful as Mudhaffer. And no Moslem lawyer in Iraq—and I approached many of them—would undertake to defend a Jewish bank in such a suit. Mudhaffer thus made off with his gains scot-free. The reverend Archdeacon Cyril Roberts, rector of St. George's Episcopal Church (British), where I worshiped during my stay in Bagdad, had very aptly described the Arab businessman to me: "Picture always just behind the Moslem who is dealing with you another unseen man who is thinking the truth. And then don't believe either one of them on his oath."

The manner in which Mudhaffer had contracted his debts throws an interesting light on contemporary business in Iraq. Most of the debt could be traced to two big deals.

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In the first, our Cairo branch had paid for a huge shipment of Lucky Strike cigarettes which was to be sold to the British troops in Egypt. After the deal was negotiated, it turned out that they were "Lucky Stroke" cigarettes, and the Egyptian and British governments forbade their sale. The bank was stuck with the entire lot. In spite of this, it is said that Mudhaffer smuggled out part of the shipment, sold them somewhere, and pocketed the cash. The swindling involved dazzles the imagination. The bank loan in large measure went into Mudhaffer's pocket, since he needed only a fraction of it to pay for the "Lucky Stroke" cigarettes. He then made a "legitimate" profit on the delivery of the phony cigarettes, and finally made a third profit selling them.

The second deal was of the same order. Mudhaffer imported a large shipment of orange juice, again covered by a bank loan, for sale to the Iraq Petroleum Company. The IPC purchasing agent rejected it as unfit for human consumption, and rejected it again when Mudhaffer added sugar. Again the bank was stuck. The whole lot, he told us, had been dumped into the Tigris. (But once again it was whispered to me that Abdul Aziz Bey al Mudhaffer was not a man to be satisfied with such a solution, and that he had sold it to poverty-stricken Arabs at a fancy profit.)

On October 29, Nouri es-Said gave instructions for the transfer of the bank loan collateral we held to negotiable form, and it was sold. At one time the stock had doubled in price, and he could have sold out. Unfortunately for Zilkha and for him, he did not, and we had to take a sizable loss on his loan. Even in faraway Iraq the old Wall Street axiom was thus vindicated: "Ninety-nine per cent of all losses in the investment business are due to one thing, *failure to sell.*"

In December, having wrestled to the best of my ability with the "normal [and abnormal] obstacles to an American not familiar with complicated Middle East official and semi-official procedures," I notified Mr. Zilkha, by that time back in New York, that all that could be done had been done. There remained only the routine business of filing the final audit report of condition to the National Bank. This Yedid and Toeg could manage well enough by themselves. I had already paved the way for their official release through my good friend Lionel Phillimore. Like all other Jews leaving Iraq, however, they could take with them only 300 dinars ($840).

Mr. Zilkha's personal loss, I estimated, was $308,000; my readers already know that the greater part of this loss came from the defaulted loans of Mudhaffer.

There is much more that might be said about my stay in Bagdad. The business practices of the Moslem present, as I think I have already indicated, a striking contrast to what we are used to in America. The most irritating and exasperating characteristic of the Moslem businessman, that is for an American, is his interminable procrastination and delay in every possible matter. The Arab Jews are efficient and punctual. The Moslems are inefficient, vacillating, and tardy. These methods, combined with the blistering summer heat, give justification to the old Arab epitaph, of which I was promptly informed by the British: "Here lies the man who tried to hurry the Middle East." I had to throw off the hustle and bustle of New York, and take it slow, very slow and easy!

In the Bagdad business office one is likely to see, at almost any time, men in ordinary Western clothes and in colorful Arab costume drinking black coffee. Nearly everyone will be counting and toying with strings of beads called *sebha.* (One often hears: "Lend me your beads; I want to think.") They will argue fiercely about some business matter; but if they come to agreement, they will shake hands, kiss each other, and all will suddenly be smiles.

I was told that an Arab proverb runs, "Drink the water of the Tigris once—you will return to drink it thrice." The possibility arouses mixed feelings. There were, of course, the bleached white lizards that crawled on my bedroom floors and walls, the scorpions

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who liked to seek out a slipper, the ghastly diseases, the plague of emaciated cats who infest the banks of the Tigris and invade the city at sunset and get in everywhere—and who, it is said, have eaten up an unattended baby. But there was also the pleasant life at the Alwaiyah Club, secure behind its four-foot-thick brick construction, and its high wall patrolled by guards in Arab dress (marauders are everywhere). I shared a suite with the British bank architect, Sir Philip Edwin Dean Hirst, who was master of Fox Hounds for the Royal Hunt of Bagdad. Its cool swimming pool, tennis courts, and lawns were a veritable oasis in the desert city. The social life included dinner dances, bridge parties, cocktail parties, and outdoor movies on the lawn, and these events were attended by members of the diplomatic corps and foreign colonies, as well as many distinguished Iraqis. The social leader of this world was the Indian-born Mrs. William George St. Clement Kendall, formerly a model in London, whose husband was engaged in the export-import business and rode to the hounds of the Royal Hunt as whip.

In telling the story of my mission, I have had to use harsh words to describe the Iraqis as businessmen; I am sorry if this pains them. For the individual Iraqi, high and low, showed me the most gracious hospitality, and I was received, despite my mission, with courtesy and friendliness everywhere. I can only hope that these traits in the Iraqi character will in time make themselves felt in Iraqi business life.

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THE PROPOSITION

A Story

ASHUR BAIZER

WE WERE sitting around the dining-room table in Reb Kiva's house; Reb Kiva, my father, and I. My mother, Reb Kiva's oldest daughter, had gone out to visit a friend in the neighborhood, and the Aunt (this was the family's name for Reb Kiva's second wife) was spending the week with her son. The unaccustomed stillness and emptiness of the big house, the darkness of the adjoining rooms and of the hall, accentuated by the bright lights over our heads, were having a depressing effect on me. Every now and then, distracted by memories of bygone festivities at which my many aunts and uncles and cousins had gathered around the table, their voices raised in shouts and laughter, I glanced up from my book, half expecting to see them there again, all jabbering at each other at once. My eyes came to rest on one or another of the empty chairs, and my thoughts drifted slowly into reverie, until my father's cough recalled me to my book, or to Reb Kiva's glass, to see whether it was time to pour him more tea.

We had been reading in silence for about an hour or so when I heard Reb Kiva rustle his paper. A few minutes later I looked up to find that he was staring down his nose at me, thoughtfully fingering his broad rusty beard. He studied me a long time without saying anything. Finally, as I began to fidget, he announced: "I have a proposition to offer."

I turned my head aside, thinking that my mother or the Aunt had come silently into the room. Reb Kiva had never addressed me or seemed to take the slightest notice of me before; it would have surprised me to learn that he knew anything about me beyond the fact that I was the son of one of his daughters. I assumed that I merely drifted somewhere on the farthest shores of his awareness, lost among the vast flotsam of grandchildren that deluged his house every half year and left it a shambles. The idea that the remote, the majestic, the terrible Reb Kiva could have any kind of business to transact with me was inconceivable. But he was looking directly at me, and was evidently growing impatient.

"A proposition for *me?*" I asked.

"For who else—Charlie Chaplin? Don't be a fool."

I kicked my father, who was sitting between us. He had undoubtedly heard Reb Kiva, and he undoubtedly knew that I would need his help; but he went on reading Victor Hugo. I gathered from the deepening of his frown, however, that he was listening to us, and faced Reb Kiva with a little more assurance.

"Five weeks from Saturday you'll be thirteen," he informed me. "A Bar Mitzvah. A man."

He gave me some time to ponder the event and its significance, and during the pause I kicked my father again. This time he raised his eyes to me and shrugged, as if to say, "This, whatever it is, is between Reb Kiva and you. Why drag me into it?" and returned to his book.

"I'll give you a pen for your birthday," Reb Kiva resumed, placing all the stress on his offer and slurring rapidly over the rest, "I'll give you a fountain pen if you come here every Friday night and go to synagogue with me. Of course, you'll have to sleep over, so you might as well go with me on Saturday morning as well. For that you'll get a fountain pen."

MY FATHER had drawn his legs out of range, abandoning me completely, I discovered, and had covered his mouth with his hand. I was sure that he was smiling,

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for a reason that had no connection with his book, and agreed with my mother's verdict that he could never be depended on to do the normal, the sensible thing.

My feeling of helplessness was increased by the note of urgency in Reb Kiva's voice as he demanded, "*Nu*—yes or no?"

"What kind of pen?" I stalled.

"What kind of pen!" His mouth fell open with shock and outrage. "Aha! I see you're a rascal, too, just like your father. What kind of pen!" he repeated indignantly. "It'll be a good pen, don't worry."

"Every Friday night and every Saturday morning," I mumbled slowly, trying to make his terms sound inhumanly oppressive.

"All right, you don't have to come Saturday morning if you can't get up that early. Lie around as late as you want to, have lunch with me, and then go home."

"I'm not so lazy. I get up early every morning."

"So much the better."

"But Saturday morning. . . ."

"*Nu,* I told you we'll forget about Saturday morning."

"*Every* Friday night?"

"Yes," he nodded, "just like him. *Every* Friday night."

Suddenly I was inspired. "Suppose I'm sick some Friday night?"

"If you're sick stay in bed. Don't be a fool."

"Suppose. . . ."

"Suppose nothing. Agreed?"

"Wait a minute, wait a minute," I pleaded desperately. It didn't seem likely that he would make any more concessions (he had obviously been prepared beforehand to yield Saturday morning), and I was afraid of the consequences of further bargaining, yet I didn't want to risk his contempt by surrendering too easily. But for the moment I could think of no other conditions. My father, of course, was absorbed in his book.

At last a new idea presented itself. "For how long?" I asked.

I noted with satisfaction that my question caught him by surprise—but in an instant he had regained the upper hand.

"Let's say . . . let's say for a year. That'll be enough."

"Enough! A whole year!"

"A whole year!" he mimicked. "Terrible tragedy! What's a year? Settled?"

Now I was really at the end of my rope. The situation was too complicated to be dealt with in such haste. The promise of a fountain pen I could discount easily, for what could be more commonplace than to get a fountain pen for my Bar Mitzvah? I would probably get two or three more from my aunts and uncles, and if Reb Kiva's reputation for miserliness had any basis, they would be far superior to his. Besides, I would merely have to stay alive for five more weeks to get the others; Reb Kiva's I would have to earn.

But how could I get out of the trap? Reb Kiva was unscrupulous, I complained to myself. To require me to come to his gloomy house week after week for a whole long year so that he could drag me off to stand mumbling for hours among a bunch of old men, for nothing more than a pen—to ask this, knowing I couldn't refuse him, was to take a shamefully unfair advantage. On the other hand, his proposition held out a vague but exciting challenge of new experiences, responsibility; and I could not deny that I felt myself honored by his attention.

I was ready to submit when at last my father spoke.

"A FINE bargain," he said, and though he said nothing more for a while, I knew he was coming to my rescue at last. My mother misunderstood him completely, I decided. She failed to realize that while he had a peculiar and sometimes exasperating preference for the roundabout way of doing things, he could always be relied on to get them done.

Reb Kiva darted a mistrustful glance at him. Ample experience had taught him to look for double meanings in every word my father spoke to him, especially in those words which seemed most innocuous. He took out his tobacco box and began to roll a cigarette, obviously displeased at my father's intervention, but curious in spite of himself.

"Yes," my father nodded, as if in appreciation of some master stroke of strategy, "a fine bargain. For you," he pointed at Reb Kiva. "For him . . ." he shook his head dubiously, "for him I'm not so sure."

"Why not, Pop?" I asked eagerly.

With maddening deliberateness he put down his book, lit a cigarette, and blew out a few meditative puffs before he spoke again.

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"Look," he said, with his eyes on Reb Kiva, "don't you see what he's after? He buys you a fountain pen. All right, fine. You can probably use one. But what does a pen amount to? A toy, a trifle, two or three dollars; let's be generous and say five. That's what *you* get. That's *all* you get."

He paused, inviting Reb Kiva to challenge what he had said, but Reb Kiva glowered and said nothing, and my father continued.

"Now, what does your grandfather get out of this proposition? Oho! One—" he thrust out his index finger—"he gets your company. Two—" out came his middle finger—"and this is the important thing—he gets credit with the man upstairs for having saved a soul. A priceless, immortal soul. What an exchange! And he has the nerve to offer it as if he were doing you the biggest favor in the world. Why, I'd be glad to make an exchange like that every day in the week. A soul for a pen—ha!"

I was horrified. My father's blasphemy had long ceased to shock Reb Kiva, but his interpretation of his motives was certain to touch off a blast that would shake the house to its foundations. Reb Kiva was a Galician by birth, and Galicians are notorious for shortness and violence of temper; his was short and violent even for a Galician. I had seen him storm at Aunt Lily, my youngest aunt, for an hour because she had had the effrontery to pour him a glass of tea that was hot instead of boiling. Out of the corner of my eye I watched fearfully as he hunched his massive shoulders, gathering himself for the retort.

"*Goy!*" he exploded with a blow that made the table jump. "You *goy* you! Isn't it bad enough you're a *goy*? Do you have to corrupt him, too? Don't you have any sense of shame, to talk that way in front of your own son—and just when he's about to become Bar Mitzvah! What kind of example do you think you're setting him? What kind of a father are you, anyway?"

Then, to my amazement, when it seemed that he was just beginning to warm up, a brief struggle was reflected in his face, and a smile broke over it. "*Ai,* is that a *shlak,*" he chuckled, his tremendous belly bouncing up and down, "*ai,* a rascal."

My father winked at me and delivered the *coup de grâce.* "He was probably planning to give you a pen whether you agreed to his so-called proposition or not. So you see he's trying to get something in return if he can. And what a something—your soul!"

"Enough, enough!" Reb Kiva sputtered.

"All right, I'm through. Just give him a little time to think it over. After all, it's an important decision he has to make, setting a price on his soul."

"All right, all right," Reb Kiva said weakly, still shaking with laughter. "Who's rushing him?"

I breathed a sigh of relief, foreseeing weeks in which I would have leisure to examine Reb Kiva's proposition in the minutest detail. If enough time passed, he might even forget about it entirely. But he quickly disillusioned me.

"He has an hour and a half yet before you go home. *Ai,* are you a *goy,*" he shook his head at my father, "*ai,* a rascal. What do you say to a page of Talmud, *goy?*"

MY FATHER'S treatment of Reb Kiva, and, even more, Reb Kiva's response to it, was a source of endless puzzlement to me—and to the rest of the family, for that matter. My father was the only member of the family who ever spoke to Reb Kiva in English, and though Reb Kiva would frown at him sternly and either not answer at all or answer haltingly in Yiddish, my father continued to speak English. "Why don't you talk to him so he can understand you?" my mother once asked him crossly. "He can speak Russian, Polish, German, and Yiddish—so you, of course, you have to talk to him in English. Why is it that you must always be *Moishe Kappoir,* the upside-down one? Why can't you be like—" "Oho!" cried my father, cutting off the familiar refrain. "You imagine Reb Kiva doesn't understand me? That's a good one!" He was continually poking sly fun at Reb Kiva, telling him preposterous stories with a straight face, manipulating his interest at will, and then asking innocently, "By the way, you don't believe all this, do you?" He liked to play practical jokes on him, like spiking his Passover wine with rum, or, as I heard he did one summer afternoon in Atlantic City, when Reb Kiva said that he wouldn't mind a glass of beer if one could be had, taking him on a tour of speakeasies.

Nobody but my father had the imagination to conceive such pranks, much less the hardi-

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hood to carry them out; yet when they were exposed they usually evoked nothing more dreadful than a sheepish, half-concealed smile—at worst, a token scolding. Reb Kiva's always surprising mildness at such times was due in part to his willingness to overlook much in my father that annoyed or embarrassed him—if it did—because of my father's training: my father was the only one in the family who could read the Talmud with him at his own level. And perhaps it was also his sign of recognition that there was no real disrespect behind my father's raillery; indeed it often seemed that the exposure of my father's jokes was wholly unnecessary, that Reb Kiva had been in on them from the beginning.

That my father was proud of Reb Kiva everyone knew. He never tired of repeating that he had married my mother not because of her beauty, but because of her father's. "What a beard Reb Kiva had then," he would sigh, "a pillar of fire!" Sometimes he would intimate that Reb Kiva was a good deal more broad-minded than he wanted anyone to suspect; but if anyone else, taking his lead, expressed doubt of the sincerity of Reb Kiva's faith, he would declare menacingly that Reb Kiva was the most upright man alive. Of Reb Kiva's intellectual prowess he used to boast that you could wake him out of a deep sleep and quote a passage, or only a phrase, of the Bible to him, and have him continue from there right through to the end without a pause—and throw in Rashi's commentary for good measure.

Reb Kiva was not a rabbi (his name, by the way, was a corruption of Akiba), but he was accorded as much deference as if he were. This deference, which took concrete form in his election year after year to read the Torah to the congregation at his synagogue, was based on a number of reasons. His contemporaries knew that he came of a fine family; others, that he was rigorously orthodox, a *lamdan*, or scholar, and a *shochet*, or killer of chickens, a profession requiring knowledge of Hebraic law. He was, besides, a man of considerable substance, owning both his house and his slaughterhouse, for both of which, it was known, he had paid in full and in cash. There was also the matter of his temper. And he had sired nine children, eight of whom were living, and four of whom were sons.

A PATRIARCH of the old school, Reb Kiva was a tyrannical husband, and my grandmother's life with him an unmitigated ordeal. I remember that whenever I saw her (I saw her perhaps a dozen times; she died when I was six), she was either standing before a cavernous oven, flushed and perspiring, baking mountains of bread, or else she was scrubbing floors, washing clothes, or trying to compose squabbles among my aunts and drawing on herself the combined anger of all three, and of Reb Kiva besides. A hint that she needed a new hat would send Reb Kiva flying to our house to rail a whole Sunday against her viciousness. She had bought a hat, he would shout over and over again, in the kitchen, on the porch, and all around the park (where my father led him around the same four tennis courts for hours and then, when it grew dark, straight into one of the nets)—that woman had bought a good, solid hat only three or four years ago, and here she was trying to extort a new one. Had anyone ever heard of such vanity, such downright corruption? My grandmother would get her new hat eventually—and it would be an expensive one, in the latest fashion—but only after Reb Kiva, having visited each of his children over eight successive Sundays, had called the whole family to witness how she was ruining him by her wild extravagance.

If most of his children hadn't been grown by the time they followed him to America, and then scattered beyond his control, he would undoubtedly have ruled them with an equally despotic hand. As it was, he was forced to spend on his youngest three daughters, who lived with him for several years before they were married, the fury that would have sufficed to overwhelm all eight of his children.

Towards most of them he was, in his mildest moods, indifferent. Ordinarily he seemed to look down on them as from some grand height with a mixture of disbelief and acute revulsion. His sons he held in open contempt. "Fools" he called them, and "fool" was the most damning term in his vocabulary. (It was impossible to determine the exact meaning he attached to it, since he applied it pretty freely to very dissimilar people, and for a variety of reasons; but it was plain, at any rate, that as far as Reb Kiva was concerned a fool was an unspeakable

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wretch who would be much better off dead.) His view of women in general precluded the possibility of any more flattering view of his daughters. Like all women, they were garrulous, empty-headed, irresponsible cattle.

Only towards my mother could he be considered at all affectionate. And just as no one cared to emulate my father's success with his practical jokes, so no one envied my mother Reb Kiva's regard. She was the first of his children to come to America, and he had lived with her and my father for two years after they were married.

When the family gathered at his house on holidays and other special occasions, he snorted with disgust at the effusiveness with which his daughters greeted each other; when they embraced him and exclaimed over his appearance of good health, he thrust them from him and stormed off, demanding of an invisible audience whether it had ever seen such vile exhibitions. I didn't realize until long afterwards how much he enjoyed these invasions. Even when he trailed after us grandchildren, muttering savagely as he picked up each scrap of paper we had dropped on the living-room floor, threatening swift destruction if we didn't stop throwing pillows around—even then, I came to understand, he was enjoying himself.

THE family assemblies dragged out to a bitter ending. After my grandmother died (she had been bedridden with a kidney ailment for six months), there were rumbles that her life would have been saved if Reb Kiva hadn't been too tight-fisted to have her examined by a specialist. For a long time he paid no attention to the insinuations, but finally he struck back in full force. There were long sessions of nasty recriminations; they grew more and more corrosive, and less and less frequent; one by one his children stopped coming altogether; and when my three youngest aunts married in quick succession, he was left alone. Only my parents visited him occasionally.

At the end of his second year of widowerhood he remarried. The family, which received formal notification after the event, was as scandalized as if he had run off with a chorus girl. There were rumors of senility and whispers about the lechery that overmastered old men. They had been out of touch with him a long time; they had shown no concern for his welfare all the while he was alone; but it was argued that they should have been consulted, if only for form's sake, on the advisability of his taking so grave a step. His independence of action seemed like a decisive and final break, and no one wanted that.

Several months after his marriage, Reb Kiva invited the family to meet his new wife. They could not fail to be impressed by her appearance. Her figure was constructed along familiar lines; that is, she was short and stout; she was tastefully dressed; and her thick gray hair, which lay in a coil at the top of her head, lent her kindly face an air of distinction. Neither was her respectability in the least questionable: her first husband had been a linen merchant, her son was a doctor, and her daughter was married to a lawyer. She had considerable charm, and she exercised it conscientiously in an effort to engage Reb Kiva's children.

But her admiration of the women's dresses, her respectful attention to the opinions of the men, and her kindnesses to their children were all doomed to failure. The general antagonism gained focus and intensity when Aunt Sarah came downstairs, ostensibly from a visit to the bathroom, to report in a shocked whisper that there was a new suite of furniture in the bedroom. Some time later, it was learned that a new heating system had been installed. I never dreamed how like a curse the words "the Aunt" could sound until I heard my aunts and uncles discuss my new grandmother that evening.

On each of her visits with Reb Kiva to his children (my grandmother and he had rarely gone visiting together), the Aunt wore a different dress. The fact was noted and commented upon with mingled gloating and bitterness after the visitors had gone.

"Sure, what else?" asked Aunt Sarah. "Did you think she married him for his good looks? For his brains? I'll bet he's got plenty of money."

"No question about it," Uncle David agreed solemnly. "None at all. He's been making good money for years. Years. Let's see now, he came to this country in 1904, no, 19. . . ."

"Nah, how could it be 1904," said Uncle Morris, "when I came here five years after him, and I didn't get here till—"

Aunt Sarah brought the discussion back to

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the point at issue. "What I'm worried about is, who knows what a woman like that mightn't do to him to get his money? Listen, I've heard about cases. . . ."

"The only thing is, it probably won't last. Affairs like that never do. Why would she stay with a man like him?"

"Maybe she loves him," my father said.

Aunt Sarah turned to him in surprise. He had been playing checkers with me all afternoon, and had contributed nothing to the conversation; in fact, he hadn't seemed to hear it. Her nostrils curled in scorn. "Another King Solomon," she said.

The family had no aversion to repetition, but the subject of Reb Kiva's folly was gradually exhausted through lack of new substance and eventually crystallized into the smug conviction that before long he would be divorced or poisoned, or else the Aunt would steal everything he owned and run off with a lover. Reb Kiva and the Aunt had been married for five years when I agreed to his proposition.

On the first Friday night that I came to his house in accordance with our agreement Reb Kiva thrust into my hands an oblong blue box. He was gleaming. As I observed subsequently, he came home early Friday evening and took a steaming hot bath in a full tub, the bottom of which he had coated an inch thick with epsom salts. After toweling himself until he was all aflame, he would put on a suit of long underwear and pad down the hall to the bedroom in his bare feet.

"Kiva dear," the Aunt would warn in her gentle, good-humored voice, "if you don't put on your bedroom slippers you'll catch pneumonia, God forbid."

"Don't be a fool."

My grandmother and my aunts, I remembered, had issued the same warning and received the same reply.

The pen surprised me. For some reason I had expected that it would look like Reb Kiva himself, short and thick, or like his furniture, plain, solid, and indestructible. But it was just the opposite: long, black, and slender, it weighed almost nothing; it had a delicate silver band around the cap and an extremely fine point. It showed an exquisiteness of taste that seemed incongruous, until it occurred to me that it might have been selected by the Aunt. I fumbled for words to express my gratitude.

Reb Kiva cut me short. "It's time to go."

For the sake of convenience, and to show that he was on good terms with his neighbors, he attended Friday night services at the house of a rabbi who lived around the corner. We were early that first night, and while we were waiting for the rabbi to appear, Reb Kiva introduced me to several of his acquaintances, in his impatient no-nonsense way. They made a great fuss over me, exclaiming, "Aha! So this is Reb Kiva's grandson. Aha!" as if my presence merely confirmed what they had known all along, that if Reb Kiva produced a grandson it would have to be me. It was plain even to me that their smiles and cluckings were directed to Reb Kiva, but I was flattered nevertheless. Services were brief, and though I lost my place in the prayer book a number of times, I found them much less of an ordeal than I had anticipated.

As we were walking home I ventured to remark that the rabbi, who had an awesome reputation throughout the city for his piety and learning, looked like a very wise man.

"He's a fool. A *lamdan,* yes, but a fool."

That left nothing more to be said on that particular subject on future Friday nights, or at any other time. Reb Kiva never explained his opinion, but from hints he threw out later I gathered that he considered the rabbi a fool for two principal reasons: he was more interested in mundane things than Reb Kiva thought a rabbi ought to be; and his six children were all daughters.

We had the customary Friday night dinner of *gefilte* fish with powerful horse radish; chicken soup with *knaidlach;* boiled chicken, peas, and potatoes; rice pudding with raisins; and tea and sponge cake. As far as cuisine and cooking skill were concerned, I could see no difference between my grandmother and the Aunt; and the Aunt, I admitted to myself with a sense of treachery, was better looking and pleasanter company.

After pushing aside his last plate, Reb Kiva unbuttoned the top of his trousers, leaned back in his chair, and belched softly and steadily for what seemed a considerable length of time. Without saying a word, the Aunt got up and poured him another glass of tea. Since he drank it scalding hot, his hands

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clasped around the glass, the kettle remained over a full flame all evening; as soon as he finished one glass, the Aunt got up and poured him another.

"How's your father?" he shot at me abruptly.

"P-p-pop's fine," I said.

"Your mother?"

"All right."

He thought for a moment. "School—you're still going to school?"

"Of course he's going to school. What else would he be doing?" the Aunt said with a smile. "Your grandfather asks funny questions, doesn't he, sweetheart?"

She won my undying gratitude by turning away before I could reply.

From then on we read in silence. At intervals, Reb Kiva looked across the table at me, spanning his beard and stroking it slowly. Several times it seemed that he was on the verge of saying something, something of great import, and after I got used to his scrutiny I tried to indicate that I was eager to hear whatever it was he wanted to tell me. But he only went on stroking his beard a while longer, then pushed his glasses back on his forehead, and went on reading.

At about ten o'clock, after a little colored boy had come in to turn out the lights, we climbed the stairs, past the closed, unused rooms of the second floor and on to the third. Reb Kiva told me I was to sleep in the bedroom next to his and the Aunt's. It had been Aunt Lily's room until, renouncing Rudolph Valentino, she accepted Uncle Sol instead and moved to Wilkes-Barre. On numerous occasions in later years I had slept in this room with my father, while two of my uncles slept on a mattress on the floor. A long time passed before I ceased hearing their voices and fell asleep.

Reb Kiva woke me at half past five. The Aunt was still asleep. He set out our breakfast of tea and bread and butter, and then we walked to his synagogue, a distance of some two or three miles. By the time we got back home, at noon, I was faint with hunger and desperate for sleep; I could see that I might exercise my option with regard to Saturday morning in the future. After lunch, which was last night's supper warmed over, we took a nap. At sundown I took the streetcar home.

"Well, Bar Mitzvah," my father greeted me, "how did it go?"

"Oh, all right, I guess."

"How did you find your *zaydeh*?"

"Grandpop's OK."

My pose of indifference probably didn't deceive my father, for I was too elated to preserve long an appearance of composure. I had undertaken a serious engagement, and I had acquitted myself honorably: I was on the way to becoming a real Bar Mitzvah.

All that week I was filled with secret excitement. I kept hoping that one of my classmates would invite me to go somewhere with him on Friday night, so that I might decline with a show of reluctance and, being pressed for an explanation, mutter something tantalizing about the inviolability of certain commitments. But I was shy and had made no friends at school and no one ever invited me anywhere, and so the opportunity for dramatics never arose.

But my excitement really needed no additional sharpening. As the weeks passed I came to look forward with great eagerness to the fulfilment of my obligation to Reb Kiva. The quiet routine that filled our twenty-four hours together never varied, but sometimes, as we were walking home on Saturday morning, he would tell me stories of his boyhood and young manhood, stories of suffering and terror in the old country, and of dark, desolate loneliness here. I have long since forgotten the details of his experiences, but I still remember how impressed I was by his manner of telling them—without either bitterness or sentimentality, as if they had happened to someone else. Once he showed me a large volume which he kept locked up in the closet outside his bedroom. In it were recorded, in his precise hand, all the important events that had befallen the family: births, graduations, marriages, anniversaries—even the date when my father had had a wen removed from his neck.

Our agreement had run about two months when I caught a cold. Despite my violent protests that I was well enough to go to Reb Kiva's house, I wasn't allowed to leave my bed. Late at night, when I was reading under the bed lamp, enjoying the luxury of an unexpected holiday and wondering whether the colored boy had put out the lights in Reb Kiva's house yet, a bulky shadow moved into the room. It was Reb Kiva. Realizing immediately that he must

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have walked the seven miles from his house to ours, since he couldn't have taken the streetcar on Friday night, I had to struggle hard to greet him nonchalantly. He asked me how I was. I told him there was nothing serious the matter with me, and that I would be sure to come next week.

"Was the doctor here?"

"I don't need a doctor."

"You can never tell."

"I'm all right."

"Are you sure?"

"Don't be. . . ." I caught myself just in time. "Positive." I saw his lips begin to curl upward.

He sat with me in silence, studying me, stroking his beard, and again I had the disturbing sense that he was on the point of communicating something vital to me. But he said nothing, and after about an hour he got up suddenly, kissed me on the forehead, and left.

The next Saturday morning, when I was at his house again, he failed to wake me. He made no comment about this when he returned, and neither did I. I never went with him to Saturday services again.

Reb Kiva's slaughterhouse was situated at the bottom of a steep cobbled street near the waterfront, on the fringe of the city's most unsavory district. A strange setting for Reb Kiva, I thought as I rode down there for the first time on my bicycle one fall afternoon. The stench of the river, which reached out half a mile or more, grew almost overpowering as I walked down the last block, past slaughterhouses and packing houses and warehouses and wholesale fruit stores, all bustling with mysterious activity.

"Which is Reb Kiva's place?" I asked a little man with a scraggly goatee who was standing at the curb rolling a cigarette.

He scanned me closely before he answered. "Reb Kiva? What do you want with Reb Kiva?"

"I have something to tell him."

"Are you a relative of his?"

"What's the difference to you?" I shouted. My vehemence surprised me, but I was startled even more by the tone of my voice. It was a high, angry tone with which I had grown familiar; but it had never issued from *my* throat before. "I have some business with him," I said more quietly. "Private business."

The little man peered into my eyes again. "You're Reb Kiva's grandson," he said. "He talks about you sometimes. He's very proud of you. He says you—"

"I don't want to hear it. Do you know his address or don't you?"

"Sure I know his address. But listen, better see him some other time. Reb Kiva—excuse me for saying so—Reb Kiva is not an easy man to deal with. He's a fine man, understand, and with his learning he could have been . . . anything he wanted. But that temper!" He shuddered. "He doesn't like one should disturb him when he's working."

I felt my throat tighten. For a moment I regretted not having consulted my father on what I was going to do; but I hadn't done so because I had known what his answer would be. "Do whatever you think is right," he would have said, and there would have been no doubt about what he thought right. I wavered until I looked into the little man's face again; seeing a glint of mockery in his eyes, I conquered my impulse to turn back.

"What's the address?" I asked him again.

Carefully, he broke his cigarette in two and fitted one half into a long holder. "What's the matter with you?" he shouted. "Who doesn't know where Reb Kiva is? Number 12."

As I entered the large, damp front room of Number 12, two huge black rats scampered across the sawdust-sprinkled, feather-strewn floor. From tier on tier of chicken coops there came a deafening cackling. The air was close and full of unpleasant smells. Reb Kiva was standing with his back to me under the glare of the naked light bulb in the rear room.

"You damn fool!" he was shouting in slightly accented English at a truck driver who was towering over him. "When I order something I want what I ordered. Understand? Now get this junk out of here."

The driver stooped meekly, picked up a crate, and walked out of the room without saying a word. As he passed me I heard him muttering curses to himself.

I tripped over the threshold. Reb Kiva turned around, the neck of a chicken clutched in his left hand, a long bloody knife in his right. His knobby white arms were spattered with blood up to the elbows. There were clots of blood on his apron, his shirt, and his trousers. Bits of feathers clung to his heavy shoes.

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"You! What do you want here?" he asked me in Yiddish.

"I've come to tell you something. Something important."

His eyes narrowed. After a moment, he threw the chicken into a coop, laid the knife on the chopping block, and disappeared into a side room. I heard water splashing. When he returned, drying his hands, his expression was grim.

"*Nu?*"

Looking down at his feet, I remembered painfully how easy it had been for me to face him the night he visited me.

"Out with it."

I stammered miserably.

"All right, I'll tell you what you came to tell me. You're not coming any more. Right?"

"Not coming any more?" I lingered over his words, surprised that he had so nearly guessed the reason for my visit, and yet had missed it; and then, that he had understood it better than I. I had come to tell him, on some flimsy pretext, that I would be unable to come that Friday, but as I repeated his words I realized that what he had said was true. I did want to be released from the proposition entirely: my adventure had long since turned into a millstone, and I had grown tired of waiting for the word that was apparently never to be spoken.

"Right?" he thundered.

"Well, not exactly," I said. "You see, they're giving us a lot of work at school, and I—"

"All right, so go!" He struggled heroically to control his rage: he clenched and opened his fists; his face grew fiery red; the veins on his forehead swelled and throbbed. The sight was so dreadful that I was relieved when his fury exploded at last.

"Go!" he burst out. "Who needs you? You think I can't live without you? How do you think I managed to live before you came, before you were born? You think I need you —you, a boy? Ha! I don't need you or your favors! I don't need anybody's favors! I've managed all right by myself a lot longer than you've been here in this rotten world, and I can go on managing by myself. I don't need anybody! Go! Out!"

He sank down on the stool beside the chopping block and pushed his skullcap back over his shaven head. Beads of sweat gleamed in the gray stubble. Neither of us said anything for a while. And then I made a horrible blunder.

"I brought the pen," I said.

"You brought the pen," he repeated dully, as if he hadn't understood me.

"I didn't keep my part of the agreement," I explained hastily, "so. . . ."

"Get out," he said quietly. "Get out and don't let me ever see you again. I thought you were like your father. I was wrong."

"I'm sorry, *Zaydeh*. I didn't mean. . . ."

"All right, all right!" His voice was raised, but there was no passion in it, only weariness. "Don't be a fool. Who ever saw a Bar Mitzvah cry?" He took out a handkerchief and wiped his face and forehead. "It's my fault. I shouldn't have expected. . . ."

For a moment his face wore an expression of bewilderment, as if he didn't recognize his surroundings, and couldn't understand how he had got there. Then he pushed himself up, put his arm around my shoulder, and led me to the door.

"The pen . . . it's only a cheap one. And what does a pen amount to? A toy, a trifle." He smiled wryly. "But I didn't give it to you to buy your soul, as your father said, the *goy*. Believe me. I gave it to you. . . ."

His voice trailed off and he stood beside me stroking his beard, staring thoughtfully at the warehouse across the street. It was beginning to grow dark and cool; the street was desolate. On the river, the lights of the ferries were on, and a heavy blue mist had gathered around the buildings on the other side.

"I gave it to you. . . ." he began again. And then, abruptly, "Well, if you don't want to come. . . . All right," he waved away the correction I was about to make, "we'll say you can't come. Maybe you could come. . . . No. If you can't you can't. Is this bicycle yours?"

"Yes, *Zaydeh*."

"Such a big bicycle! Let me see how you look on it."

I unlocked the chain and mounted.

"You know your way home, I guess?"

Not having been there before, I wasn't sure that I did. But I nodded anyway, for I was impatient to be free, and I didn't think there was any danger of losing my way.

"Well, if you get the chance, come to see me sometime. Will you do that, son?"

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"Sure, *Zaydeh*, sure." I'll surprise him, I promised myself. After I've been away for a week or two, I'll begin to come regularly again. I'll even go with him to synagogue on Saturday morning again, and not just for a year. . . . But Reb Kiva's smile told me that I was only trying to fool myself. He placed his hand on the rear mudguard and gently pushed me away.

Two months later—six months, a week, and a day after our agreement went into effect—Reb Kiva was dead. While undressing for bed one Saturday night, he complained to the Aunt of heartburn. Suddenly he clutched his throat, there was a strange sound, and before the Aunt could reach him he was dead. He was about sixty-five, he had never known what it meant to have a headache, and everyone had marveled for years at his firm pink cheeks, his robust vigor. But according to the doctor, his insides must have been going bad for a long time.

Although he left no will, it was a simple matter to dispose of his possessions. Besides his two properties and his furniture, he left less than a thousand dollars. The Aunt refused to take anything. My father claimed, and took without argument, only the family chronicle. From it I learned that Reb Kiva had lied to me about the pen. Beside the entry dating its purchase was the figure "$15.00."

By the time I read the chronicle, the pen was useless. As we were leaving the cemetery after the burial (my mother had gone with the rest of the family to Reb Kiva's house to sit in mourning for him), my father asked me to let him see the pen. I held it out to him, but before he could take it I dropped it, not entirely by accident. It cracked on the pavement. My father glanced at me, picked up the broken pen, and muttered, as he dropped it into his pocket, "I'll get it fixed for you." But he never mentioned it again, and I never asked him for it. I was Bar Mitzvah enough to know that I had already had the best of Reb Kiva's proposition; even if I had kept my agreement ten times over I would still have had the best of it.

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DOES THE SMITH ACT THREATEN OUR LIBERTIES?

American Law and the Communist Conspiracy

SIDNEY HOOK

THE Smith Act, and the judicial decisions on its constitutionality, are among the most discussed, and unread, of modern official documents.

In brief, the Smith Act makes it unlawful for any person to advocate the overthrow of the government by force and violence (Sec. 2), or for any person to attempt to commit or to conspire to commit such advocacy (Sec. 3). In any discussion of the Act, several sorts of issues must be distinguished. One is its constitutionality. A second is its wisdom. A third is the justice of its application to the Communist party. Or to pose the questions directly:

1. Is the law behind the indictment of the leaders of the Communist party constitutional?
2. Constitutional or not, is it wise to have brought the charge?
3. Were the defendants, i.e., the leaders of the Communist party, guilty of the charge—did they actually advocate the use of "force and violence"?

EVERY attempt to use legal sanctions against the American Communist party has met with a storm of protest against the outlawing of "dissent." But where does dissent end and conspiracy begin? And what actions may a democracy take against conspiracy, and still remain a democracy? SIDNEY HOOK has in many writings argued that Stalin's Communism is in no legitimate sense "dissent" but in reality conspiracy. In this discussion of the Smith Act, he addresses himself primarily to the second question: How may a democracy defend itself against a conspiracy one of whose aims is to destroy the right of dissent? Dr. Hook was born in New York City in 1902, took his B.S. at CCNY, and M.A. and Ph.D. at Columbia, and immediately embarked on a teaching career that brought him in a relatively short time the chairmanship of the department of philosophy at NYU (Washington Square). At the same time Professor Hook has been active in anti-totalitarian organizations like the international Committee for Cultural Freedom, which he organized, and the International Committee for Academic Freedom, has contributed to numerous magazines all over the world, and written a number of books.

I

THE constitutionality of the Smith Act, it may be argued, is now a matter of history, since the Supreme Court has decided the question. However, no adjudication of any Congressional legislation as constitutional can be regarded as final; the Supreme Court can always reverse itself by adopting the fiction that a new case before it, apparently involving the very same issues on which it has already taken a stand, is in some respects relevantly different, and therefore ground for a new decision. Both cases then become precedents to be cited subsequently.

But most discussion about whether a piece of legislation is constitutional or not is actually a discussion about whether it is wise or not, "democratic" or not, enlightened or not. Anyone who reflects on the number and variety of laws declared constitutional in the past, some of which supported slavery, will admit at once that legislative acts may be constitutional and unwise, or, like the federal income tax when first adopted, wise and unconstitutional. Thus one is concerned with the wisdom of the Smith Act rather than its constitutionality, and it is to its wisdom that we address ourselves here. One preliminary question should be cleared up. It is asserted that the "right to revolution" is abrogated by the Smith Act. This right is mentioned, not in the Constitution, but in the Declaration of Independence, and there, not as an absolute right,* but as one justified under certain conditions. Only, it will be noted, under

*It may not be supererogatory to remind the reader of the exact words: ". . . Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes. . . . But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce [mankind] under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security."

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despotism do "the people" have a right to overthrow their rulers. The Declaration distinguishes between revolutions of this character and the "insurrections" of minorities that the English king is accused of fomenting among the American colonists.

Some writers have inferred that, because revolution is justified in situations where democratic processes are absent, a similar justification exists in situations where democratic processes obtain. This overlooks the various connotations of the term "right," which may be used in a legal sense *or* in a moral sense. A legal right is any claim to goods or services or privileges made by one or more individuals that *society stands ready to enforce.* Legally, therefore, it is utter nonsense to speak of the "natural" or "absolute" right to revolution. Justice Hand disposed effectively of this claim when he said, in his opinion for the Court of Appeals which found the Smith Act constitutional:

> The advocacy of violence may, or may not, fail: but in neither case can there be any "right" to use it. Revolutions are often "right"; but a "right of revolution" is a contradiction in terms, for a society which acknowledged it, could not stop at tolerating conspiracies to overthrow it, but must include their execution.

However, in all historical situations, democratic or not, persons have a *moral* right to revolution if they are rationally convinced that their fundamental values can be preserved *only* by the overthrow of the existing regime. But by the same token, people rationally convinced that any attempt to overthrow the existing regime by force and violence will destroy their own fundamental values have a *moral right to suppress* the revolutionists.*

*This does not mean that in any particular historical situation both sides are equally justified in their analysis of the values involved and of the needs and interests in which values are rooted. One or another side may be hasty, partial, or mistaken. So long as the processes of reflective inquiry are kept open, what appear to be ultimate and inarbitrable conflicts of interest may prove to be negotiable. When such conflicts are not negotiable, what is shown is not that moral values have no objective reality but that they are not universal. For further elaboration of this point see my article in COMMENTARY, March 1948, "Why Democracy Is Better," and my "The Desirable and Emotive in Dewey's Ethics" in *John Dewey: Philosopher of Science and Freedom.*

THERE is nothing self-contradictory in asserting that, in *any* society, human beings may have a moral right or rational claim to revolution. What is self-contradictory is for someone who regards himself as a principled democrat—that is, a person committed to a society where change is supposed to be effected by non-violent means, and in fact is—to believe in the right to violent revolution in such a democratic society. Societies, even where democratic processes operate unabridged and decisions truly rest upon the freely given consent of a majority, may cause men sincerely to feel that they must attempt to overthrow them. But when men act in this manner they cannot sincerely or consistently call themselves *democrats*, even if they consider themselves God's angry men. (We must, of course, grant that democratic government and good government are not necessarily always identical in meaning. That democratic government produces good government, or is more likely to produce good government, than non-democratic government—these are *empirical* hypotheses, warranted by most of the evidence, but not by all.)

These considerations may appear to be abstract, but failure to think them through usually leads to confusion. One who accepts the principles and institutional practices that define a democracy has neither a moral nor a legal right to use force and violence to overthrow a democracy that satisfies the definition, merely because its fruits may be unsatisfactory to him personally. On the other hand, while he may not have a *legal* right to attempt the overthrow of a dictatorship, because it writes the rules of law, he certainly has a *moral* right to, because he thus passes judgment on that written law; that is, he has not accepted it in the first place, is not himself a believer in dictatorship.

On the assumption that they are sincerely convinced of the badness of democracy, we may grant totalitarians the "moral" right to revolt against a democracy, provided it is understood that we democrats have the "moral" right—nay, duty—to crush that revolt, and penalize them for making it, when and if they make the attempt or prepare for it. And surely, criticism of the Smith Act as undemocratic, when it comes from totalitarians, especially of the Communist and fascist stripe, should be dismissed as indecent hypocrisy.

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It is from the point of view of one who accepts democracy that I am concerned with the Smith Act here. All who believe with me would admit, of course, that we are justified in enacting and enforcing legislation punishing the overt act of revolt or insurrection. But the Smith Act makes punishable, not the overt actions—which are covered by other legislation—but the *advocacy* of, or *incitement* to, the use of force or violence. Further, it makes punishable a conspiracy *to teach* any doctrine containing such advocacy or incitement.

WHAT is a "conspiracy"? Some clarification is necessary at this point. In many contexts, the word "conspiracy" refers to nonverbal overt behavior. As usually employed outside legal contexts, it means active planning with others and involves something more than the use of words. The verb "to conspire," however, is much more comprehensive. It denotes, not merely the overt act of conspiracy, but the process of conspiring. On occasions, mere communication, oral or written, between two or more persons may be considered as part of the process of conspiring—depending on the place, the circumstances, and the nature of the words used.

Many people who are critical of the Smith Act concentrate their fire on Section 3, which makes it illegal "to conspire" to advocate the use of force and violence. Since there was no evidence indicated of "conspiracy" in the usual sense of overt nonverbal behavior—say, the gathering of arms—they conclude that it is absurd to charge the Communist defendants with having attempted "to conspire." This criticism assumes that the use of words by themselves can never be offered as evidence of an attempt "to conspire."

It is the great merit of Justice Jackson's decision to call attention to the legal fact that, in our system of law, conspiracies in other situations are adjudged to exist on the basis of the *same kind* of evidence that was introduced in the case of the Communist party leaders. The legal rule defining conspiracy in interstate commerce, for example, and permitting evidence chiefly of a verbal kind to be used to establish the existence of such conspiracy, has never been challenged by the opponents of the Smith Act.

"Conspiracies of labor-unions, trade associations, and news agencies," writes Justice Jackson in his concurring opinion on the Smith Act, "have been condemned although accomplished, evidenced, and carried out, like the conspiracy here, chiefly by letter-writing, meetings, speeches, and organizations." He goes on to cite an opinion of Justice Holmes covering the Sherman Anti-Trust Act: "Coming next to the objection that no overt act is laid, the answer is that the Sherman Act punishes the conspiracies at which it is aimed on the common law footing—that is to say, it does not make the doing of any act other than the act of conspiring, a condition of liability." To which Justice Jackson adds the dry observation: "It is not to be supposed that the power of Congress to protect the nation's existence is more limited than its power to protect interstate commerce."

Consequently, there is a legal warrant for accepting speech, writing, and organizational activity as evidence of conspiracy to do something unlawful. The main question, then, is not Section 3 of the Smith Act, which forbids conspiracy to do what is proscribed in Section 2, but Section 2 itself, which forbids the advocacy of the overthrow of government by force or violence. For if it is wrong to advocate the use of force and violence, it is wrong to conspire to do so. But is the advocacy itself wrong?

SINCE the First Amendment enjoins Congress from passing any laws abridging freedom of speech, some opponents of the Smith Act regard it as unconstitutional on this ground. But, construed literally, the First Amendment would make even laws against criminal libel unconstitutional. To read the First Amendment as if it made the right to speech absolute and unconditioned would commit one to the same kind of absurdities as those resulting from acceptance of the statement in the Declaration of Independence that all men are created free and equal as a proposition in theology or biology instead of political ethics.

Outside legal circles, this appeal to the right of free speech as an absolute one is so common, and buttressed so often by invoking mistakenly the position of Justices Holmes and Brandeis, that it is pertinent here to quote from an opinion of Justice Holmes speaking for a unanimous court:

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The First Amendment while prohibiting legislation against free speech as such cannot have been, and obviously was not intended to give immunity for every possible use of language. . . . We venture to believe that neither Hamilton nor Madison, nor any other competent person then or later, ever supposed that to make criminal the counselling of a murder within the jurisdiction of Congress would be an unconstitutional interference with free speech.*

If a democracy does not accept the belief in absolute rights, how then does it distinguish itself morally from a dictatorship? I shall consider this question later; but for the moment I wish to point out that the defendants tried under the Smith Act did not claim in any way the absolute right of freedom of advocacy. Their main contention was that, even if the charge were true, such advocacy did not constitute a "clear and present" danger to the government.

Thus even these defendants recognize in principle what common sense always has, viz., that, if an act is criminal or immoral, it is wrong to advocate or counsel its performance even if the liability for such advocacy is not enforced. I cannot resist quoting from an earlier opinion of Justice Hand a generation ago which expresses with felicity the logic, the law, and the psychology of the matter:

One may not counsel or advise others to violate the law as it stands. Words are not only the keys to persuasion, but the triggers of action, and those which have no purport but to counsel the violation of law cannot by any latitude of interpretation be a part of that public opinion which is the final source of government in a democratic state.

II

THE general principle that limits the right to free speech is not expressed in the Constitution, but in a famous decision by Justice Holmes stating that "the question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent."

Like the phrase "due process of law," the phrase "clear and present danger" seems to have a fluid meaning. How clear must the danger be? To whom must the danger be clear? How present—today, this year, or this century? And how great the danger? The Justices of the present Supreme Court are at loggerheads with each other as to the exact meaning to give Holmes's phrase. Most discussion is frankly concerned with what the words *should* mean—how they should be interpreted in specific cases—rather than with what they *did* mean to Holmes and Brandeis. What is true of constitutional interpretation generally is true of interpretations of dicta like "clear and present danger"—what seems reasonable to the Court at any given time is read back into the original intent of Holmes's words.

If we examine the context in which Holmes first used the phrase, we may be able to get a better notion of what he had in mind, independently of whether we desire to accept or reject his proposed criterion. In the Schenck case the defendant was charged with obstructing recruiting and causing military insubordination by denouncing conscription in a handbill. The most inciting sentence of the handbill, only a few of which were circulated, was, according to Justice Vincent, the following: "You must do your share to maintain, support, and uphold the rights of the people of this country."

It was, thus, the mere distribution of a handbill containing this sentence that Holmes, speaking for a unanimous court, held to create a "clear and present danger" which imperiled the conscription program and military discipline. It is obvious that Holmes could not have meant by "clear and present danger" only an act that actually threatened to be successful. No one, by any stretch of fancy, could have imagined that the handing out of a few leaflets by a lone individual would effectively undermine the conscription program. Nonetheless, Justice Douglas, in his minority opinion on the Smith Act, in parting company with Holmes and Brandeis, denies that there is now a "clear and present danger" of violent revolution, and gives as his reason the further opinion that the Communist petitioners have not the "slightest chance of achieving their aims."

Now it so happens, although Justice Douglas seems unaware of it, that the Kremlin often orders its fifth columns to use

**Frohwerk v. United States*, cited in Justice Jackson's concurring opinion.

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force and violence in a bid for political power notwithstanding that the chances of success are very remote, and that predictions of failure have been made by those who receive the order. The reasons need not concern us here. In the 1920's futile Communist insurrections were mounted in Thuringia, Hamburg, and Canton. But even a putsch that is quickly defeated can have grave consequences for the community in disorder and confusion, in the undermining of public faith in government, or in lives. Whatever the "clear and present danger" formula may mean, it cannot imply to any reasonable person that speech advocating a crime should be curbed only when it is extremely probable that the crime will be successful.

WHAT is relevant in determining whether or not to invoke the "clear and present danger" formula, is the probability of an attempt itself, not the probability of its success. Whether an attempt is actually made to carry out what is advocated depends on two things: the *readiness* of those advocating revolutionary overthrow *to act* when they believe the situation to be ripe—something the jury is called on to decide; and, second, the state of the world, the temper of the times, the objective threats to the existence of democratic institutions—which the court pronounces on (for no good reason, incidentally, that I can see, since these are not matters of *law* but of *fact*).

The majority opinion interprets "a clear and present danger" in the same way as Judge Learned Hand does: "In each case [courts] must ask whether the gravity of the 'evil,' discounted by its improbability, justifies such invasion of free speech as is necessary to avoid the danger." Here "evil" means the substantive evils Congress has a right to act against, and "improbability" is synonymous with "remoteness." How remote is the possibility, or danger, of the Communist conspiracy making attempt to carry out what it advocates?

All the opinions on the Smith Act, except for the dissents of Justices Black and Douglas, recognize that the phrase "clear and present danger" is no mere shibboleth, and that its intelligent application requires an analysis of the particular situation involved. Some general consistency between earlier and later cases there must be, however, if the phrase is not to become arbitrary. What seems extremely puzzling to me is how anyone can approve of the determination that a clear and present danger existed in the Schenck case—when Justice Holmes first formulated his principle—and contest the finding that a clear and present danger exists in the case of Dennis *et al.*, who are an integral part of a highly organized international conspiracy. To me it seems that the Supreme Court was unjustified in its decision in the Schenck case; Schenck had not the remotest chance of really affecting the conscription program; and so to approve of the decision in his case and disapprove of it in the Dennis case, as so many liberals have done, makes no sense at all.

AS THE Smith Act has now been interpreted by the courts, it applies only to cases in which a "clear and present" danger exists that an attempt at revolutionary overthrow will be made. Now the question arises: *who* is to judge whether or not a clear and present danger exists? Two different things have been confused in the court opinions on this point. The first question is whether or not the state of the times justifies restrictions in the interest of national security on the freedom of speech to advocate revolutionary overthrow. The second question is whether or not the specific case at bar, in which the defendants have been charged with conspiracy to advocate such overthrow, is one in which a clear and present danger flows from *this particular advocacy*. The opinion of the majority of the judges is that both questions are for the Court to decide. My own view is that the first question is one for Congress to decide since it involves a conflict of social interests—the interest in national security and the interest in free speech. The second question is for the jury to decide.

The first question, as Justice Frankfurter points out in his remarkable concurring opinion, obviously falls within the *legislative* power because it is a matter of policy. And responsibility for policy rests with elected representatives who may be refused our confidence at election time, and not with judges who are beyond reach. As far as the making of policy goes, a judge's vote counts no more than any other citizen's. Justice Frankfurter's words in this connection ought to be inscribed in letters of gold on the portals of

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the Supreme Court: "Our duty to abstain from confounding policy with constitutionality demands perceptive humility as well as self-restraint in not declaring unconstitutional what in a judge's private judgment is unwise and even dangerous."

Leaving aside the question of constitutionality—was Congress justified in assuming the existence of a clear and present danger of such gravity as to warrant placing restrictions on the advocacy of revolutionary overthrow? That a danger to our national survival exists which is clear, present, flourishing, and extremely powerful seems to me to be undeniable. This danger flows from the unremitting campaign of the Kremlin, now using open violence, now subversion and espionage, against the United States. These dangers may be distinguished in their internal and external aspects, but they cannot be separated; the cant opinion so popular in certain circles that "domestic Communism is no longer any danger" is misleading, and dangerous to boot. There is no such thing as merely domestic Communism. Communism is an international movement whose capital is Moscow; it is this movement that is the enemy of American democracy; and the American Communist party, no matter what its size or influence (which is not inconsiderable), forms an integral part of that movement. Without its organic tie to the Soviet state apparatus with all its machinery for war, espionage, and terror, the American Communist party would have only nuisance value, its members would be ineffectual, candidates for the political mental ward now inhabited by Communist splinter groups like the Trotskyists. It is not the words uttered by members of the Communist party that make them dangerous, but their organizational ties; these make them the paramilitary fifth column of a powerful state, obligated to strike whenever their foreign masters give the word. Even aside from its potential for spying and sabotage in important areas of security and defense, the Communist party has been able, by virtue of its substantial fellow-traveler periphery, to exercise considerable pressure on foreign policy and on public opinion. During the heyday of the anti-fascist Popular Front, the ties of American fascists to movements abroad were immeasurably less organic than the ties of the Communist party to the Soviet Union. But had anyone said that, after all, since there was so little danger from domestic fascism we need have no fear of the organized expansion of the fascist movement, he would have been deemed an apologist for fascism by the Popular Front liberals.

THE aim of the Smith Act—to paralyze this fifth column—is certainly justified in the light of the available facts. But the method chosen to achieve it is inept. What should have been proscribed was not *speech* to achieve revolutionary overthrow, but *organization* to achieve it, and not merely any revolutionary organization but only one created and controlled by a *foreign power*.

I know a gentle, rather muddle-headed man, formerly a member of the IWW, who makes vehement speeches urging the working classes to revolt without resort to the parliamentary process, and to destroy not only the state, in which he professes not to believe, but the capitalists as a class. He sounds bloodthirsty, but anyone who hears him knows that it is all rheum and wind. Technically, however, according to the Smith Act, Section 2, Paragraph (A), Subhead (1), this feeble, harmless old man would be liable to prosecution and punishment. Now, surely Congress did not intend this.

In 1940 the leaders of the Trotskyist Socialist Workers party were found guilty of violating the Smith Act. I have always wondered why the Supreme Court refused to pass on the constitutionality of the Smith Act in this case. Although, like other ideological Communists, they denied it, this Trotskyist faction does believe in, and firmly advocates, the revolutionary overthrow of the American government by force and violence. It accepts the theses and resolutions of the first four congresses of the Communist International, and, if anything, is more intransigent in theory than the official, Stalinist Communists, whom it has regarded, first as "centrists," and then as "Thermidorians." It has all the venom of the Stalinists, without the fangs. Although professing loyalty to the Soviet Union as a "workers' state"—one which would shoot them out of hand if it could reach them!—this group's advocacies and activities have never offered the slightest threat to the security of the United States. The reason is that, although tightly organ-

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ized, the Socialist Workers party is completely independent of any foreign power, does not take orders from the Kremlin, does not utilize the manpower and technical resources of the Kremlin's international apparatus, and does not collaborate in the espionage of the Communist party. The prosecution of these Trotskyists was not merely foolish, but scandalous.* Certainly, Congress did not have such groups in mind when it passed the Smith Act. Yet they were liable under Section 2, Paragraph (A), Subhead (3), which outlaws any organization that advocates revolutionary overthrow.

Judge Hand admits that the wording of the Act, literally construed, would "make criminal the fulminations of a half-crazy zealot on a soapbox, calling for an immediate march on Washington." As the Supreme Court has interpreted the Act, however, it has remedied this by introducing in effect the "clear and present danger" clause. Judge Hand is apparently dubious about the wisdom of revising the language of the Smith Act, but it seems to me that it would be a marked step in clarification, as well as providing a further safeguard against arbitrary misinterpretation by a future court, were Congress to amend the Smith Act by inserting in the relevant section the italicized words that follow:

(A) It shall be unlawful for any person—

(1) To knowingly or willfully advocate, abet, advise, or teach, *in the case that it constitutes a clear and present danger,* the duty, necessity, desirability or propriety of overthrowing or destroying any government in the United States by force or violence. . . .

(3) To organize or help to organize, *in the case that it constitutes a clear and present danger,* any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any government in the United States by force and violence. . . .

A certain area of ambiguity will always remain since what constitutes "a clear and present danger" will have to be determined in each case. But the explicit presence of such a phrase in the law itself would go a long way towards discouraging indiscriminate use of the Smith Act against harmless private individuals, including societies of crackpots and amateur conspirators who are greater threats to the peace of mind of their parents and wives than to the security of the nation. I believe this amendment desirable despite the fact that the widely heralded predictions, made with such hysterical fervor, that the Smith Act would be used against liberals, democrats, and socialists in an attempt to suppress thought have not materialized.

THIS brings me to the second question referred to above, namely, whether any particular advocacy of the use of revolutionary violence constitutes a clear and present danger. In the case of the Communist party defendants, the jury was called upon to determine only whether they had violated the statute, but not whether such violation constituted a clear and present danger. That determination was made by Judge Medina as a matter of law, affirmed by Judge Hand, and upheld by Justice Vinson, who wrote the majority opinion of the Supreme Court. Judge Medina instructed the jury as follows:

If you are satisfied that the evidence establishes beyond a reasonable doubt that the defendants, or any of them, are guilty of a violation of the statute, as I have interpreted it to you, I find it as a matter of law that there is a sufficient danger of a substantive evil that the Congress has a right to prevent, to justify the application of the statute under the First Amendment of the Constitution.

This is a matter of law with which you have no concern. It is a finding on a matter of law which I deem essential to support my ruling that the case should be submitted to you to pass on the guilt or innocence of the defendants.

I agree with the finding, but cannot see in what way the issue was a matter of law. It seems to me that enough evidence was introduced, or could easily have been, to convince any but Communists, their sympathizers, or doctrinaire pacifists who believe that Stalin, like Hitler, has a loving heart, that the international Communist movement, of which these defendants were trusted members, con-

*It has always been unclear as to why this action was taken against the Trotskyists and not against the Stalinists until many years later. At the time it was widely alleged, without contradiction from any official source, that the prosecution was ordered by President Roosevelt in payment of a political debt to Daniel Tobin, whose control of the Teamsters' Union was being threatened by the Trotskyist-controlled Minneapolis local.

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stituted a clear and present threat to free American institutions and our national independence. The only valid point that Justice Douglas's dissent makes is that this question, being one of *fact*, should also have been considered by the jury. But if this is indeed a question of fact, then, whether it falls within the province of court or jury, it will be best answered by the testimony of those who have adequate familiarity with it. At the time he wrote his opinion on the Smith Act, Justice Douglas himself did not give evidence of the possession of such familiarity.

The late Justice Brandeis was supposed to have made a revolution in the approach of the Supreme Court by trying to dig out the empirical data bearing on the effects of social legislation like minimum wage laws, instead of trying to deduce wise policies from ambiguous legal expressions. Although the Justices of the Supreme Court have in some cases shown increasing awareness of certain obvious historical facts about the Communist movement in recent times, on the whole they have been scandalously remiss in acquainting themselves with Communist theory, practice, and organization. The late Justice Frank Murphy's decision in the Schneiderman case, finding that the Communist party did not believe in what it said it believed, betrays a sublime indifference to an easily verifiable truth. And in pronouncing on the Smith Act, even Justice Frankfurter, who had read—belatedly, alas—the Canadian Report of the Royal Commission to Investigate Communication of Secret and Confidential Information to Agents of a Foreign Power, added in a footnote to an opinion that otherwise ranks with the best of Holmes and Brandeis: "There appears to be little reliable evidence demonstrating directly that the Communist party in this country has recruited persons willing to engage in espionage or other unlawful activity on behalf of the Soviet Union." Not only have sworn testimony and corroborative evidence been supplied by former secretaries of the Communist party, and by former active underground agents, to the effect that the American Communist party did recruit its members for espionage work and other unlawful activity; the public record names the individuals on the Central Committee of the American Communist party who were liaison officers with the three Soviet espionage organizations in this country, and were entrusted with the selection of agents. The court records in the Hiss, Remington, and other cases, as well as the investigations of the Committee on the Judiciary of the United States Senate, and other government agencies, offer much well-documented material on the activities and influence of the international Communist apparatus and the use of affiliated Communists and fellow-travelers in opinion-molding and governmental circles: such material might be read with great profit by our Justices as well as others.

Justice Vinson offered a mild characterization of the nature of the Communist party, and of the historical situation, in justification of the Court's finding of a clear and present danger. He said:

> The formation by petitioners of such a highly organized conspiracy, with rigidly disciplined members subject to call when the leaders, these petitioners, felt that the time had come for action, coupled with the inflammable nature of world conditions, similar uprisings in other countries, and the touch-and-go nature of our relations with countries to whom petitioners were in the very least ideologically attuned, convince us that their convictions were justified on this score.

To this Justice Douglas acidly retorted: "That ruling is in my view not responsive to the issue in the case. We might as well say that the speech of petitioners is outlawed because Soviet Russia and her Red Army are a threat to peace." Why not? Under certain circumstances this might very well be the case. The elementary duty of the court, including Justice Douglas, is to study the techniques of infiltration, penetration, and open warfare used by the Soviet Union and its agencies against the United States in Korea, Berlin, Italy, South and Central America, and to assess the cumulative effects of its campaign of subversion and defamation. The members of the Communist party are, literally, the fifth column of the Red Army, and the success and strategic position of that army are certainly relevant in considering the danger, not merely of Communist advocacy, but of Communist organization in this country.

Justice Douglas does admit "that the nature of Communism as a force on the world

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scene would, of course, be relevant to the issue of clear and present danger of petitioners' advocacy within the United States." But he makes no attempt to consider that "nature." Instead, he regards the political strength and position of the Communist party in *this* country as the "primary consideration," ignoring its ties with the international Communist movement, and scoffing at the notion that by its own efforts, including its capacities for sabotage and espionage, the American Communist party has even "the slightest chance of succeeding in its aims." Justice Douglas elaborately overlooks the *fact* that the American Communists do *not* work in isolation, but in accordance with a coordinated strategy that has behind it the power of a regime which controls the human and natural resources of one-third of the globe.

Nor, as we have already seen, is the likelihood alone of the success of conspiratorial action the decisive matter; one plant needlessly struck, one atomic installation sabotaged, some key state secrets betrayed, in conjunction with the general Soviet strategy, may have effects out of all proportion to their apparent proximate causes.

At the time Justice Douglas wrote his dissent, actual war between one section of the Communist International and the United States as part of the UN was raging in Korea, the Communist war of nerves against the West was being thrown into high gear, neutralism was gaining in Europe, and the shocking record of Communist espionage lay revealed, if only in part, before the world. To deny under these circumstances that an organization of some tens of thousands of disciplined conspirators, absolutely controlled by a declared enemy, with a reliable periphery of some hundreds of thousands, constitutes a clear and present danger to the security of the nation shows a stubborn will to believe that Providence or luck will protect those too blind to protect themselves.

III

That the Communist party, despite its disclaimers, does advocate the use of force and violence is revealed in all its basic documents. The contention that the use of force and violence is reserved only to meet insurrectionary threats from non-Communists *after* Communists have peacefully and democratically come to power is disingenuous. A similar characterization must be made of the dodge adopted by John Strachey, when he was a Communist, in resisting the threat of deportation from this country by a nervous Attorney General. Communists, he said, do not *advocate* the use of violence; they merely *predict* it. But this runs counter to the entire Communist conception of the nature of a belief as a guide to action. Communists feel justified in predicting the use of force and violence because in reality they urge and foment it. Their very theory of knowledge instructs them that in social affairs, at least, all concepts are not merely predictive but directive, and ultimately expressions of class and party values.

The subterfuge that the use of force and violence is only a defensive measure, taken in advance against an anticipated reaction, is a contribution of Stalin to the ideological strategy of Bolshevism. Lenin and Trotsky were much more forthright on this score. In fact, during the struggle for succession to Lenin's place, Trotsky accused Stalin of lack of revolutionary integrity for not advocating insurrection as an offensive tactic in the struggle for state power. To which Stalin replied:

> An original peculiarity of the revolutionary tactics of this period must be pointed out. This peculiarity consists therein that the revolution attempted to carry out every, or almost every step of its attack under the appearance of defense. There is no doubt that the refusal to permit the transfer of troops was a serious aggressive act of the revolution; nevertheless this attack was undertaken under the slogan of the defense of Petrograd against a possible attack of the external enemy. There is no doubt that the formation of the revolutionary committee was a still more serious attack against the Provisional Government; *nevertheless it was carried out under the slogan of the defense of the Petrograd Soviets against possible attacks of the counter-revolution.* (In *Errors of Trotskyism*, London, 1925, Eng. trans., pp. 225-226.)

Communist parties throughout the world have well learned this lesson of disingenuous slogans.

IV

Some words must be said about the implication in Justice Douglas's opinion that the law upheld by the majority decision

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is hardly different from the law of the Soviet state as expressed by Vishinsky when he said: "In our state, naturally there can be no place for freedom of speech, press, and so on for the foes of socialism."

It would be difficult to find in the annals of the Supreme Court an observation so unjustifiable and injudicious. Hardly anything could be more explicit in Judge Medina's instructions to the jury, in Judge Hand's opinion, and in Justice Vinson's majority decision, than the continually reiterated assertion: "It is perfectly lawful and proper for the defendants or anyone else to advocate reforms and changes in the laws, which seem to them to be salutary and necessary. No one has suggested that the defendants transgressed any laws by advocating such reforms and changes. No syllable of the indictment refers to any such matters."

The charge was not conspiracy to advocate the abolition of capitalism or the establishment of socialism. The charge bore on the advocacy of, and conspiracy to advocate, the use of force and violence to overthrow the state irrespective of the economic program of the defendants. Surely, Justice Douglas is able to see the difference between denying a man certain freedoms, indeed every freedom, to propose economic change—which marks Soviet law and practice—and denying him the freedom to advocate that these reforms be carried out by force and violence, as does the Smith Act.

To be sure, every state must evaluate the rights of the individual by their consequences upon society or upon the rights of other individuals. That is why, in the interest of social welfare or national security, which involves the rights of all individuals and not merely those of any single person, any particular right might be abridged. No right can be unconditionally affirmed independently of how it affects the community. This is true both in a democracy and in a totalitarian dictatorship.

But, in a democracy, the social welfare or national security in whose name a right may be abridged is determined by the community or its responsible representatives—responsible, in the sense that they can be removed. Freely given consent of the majority enters in a way completely absent in a dictatorship. Second, the processes by which such decisions are made are open, so that the opposition can be heard. Third, the decision is limited, renewable, and abolishable. The mandate is not made in perpetuity. Fourth, a democracy, as Professor A. E. Ewing has well pointed out, regards the freedoms of the individual as possessing an intrinsic worth, essential to the integrity of his personality, which is itself the object of supreme worth, and therefore a democracy moves slowly and reluctantly towards the abridgment of personal rights. It requires a genuine crisis, a genuine, clear and present danger. Totalitarian regimes like Stalin's or Hitler's deny the intrinsic worth of personality, and the value of the liberty flowing from that worth; thus they can move immediately, brutally, and arbitrarily towards suppression.

We have already pointed out that, *from the point of view of a democrat*, one has a moral right to advocate the use of force and violence against a dictatorial regime that provides no peaceful processes by which to struggle against evils and injustices. Again, from the point of view of a democrat, one has no moral right to advocate the use of force and violence against the democratic community if, through open and honest processes of inquiry, discussion, and decision, it is possible to remove evils and injustices.

In short, Justice Douglas's likening of Vishinsky's dictum to the law as expressed by his colleagues on the Supreme Court bench is a piece of demagogic rhetoric no less injudicious and irresponsible because it is made by a member of the highest judiciary body in the land.

V

THE Smith Act is imperfectly phrased. Were it to be interpreted literally it could easily lend itself to abuse. The main, if not avowed, purposes of the Act—to prevent the organization of the Communist conspiracy from growing to a point where it could become dangerous, to make known to the people of the United States the nature of the Communist movement so that individuals who joined it would know what they were getting themselves into—could have been achieved by invoking other legislation, particularly the provisions calling for the registration of agents of a foreign government. An overwhelming case could have been made out in court for the indictment

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of the Communist party of the United States as an agency of the Soviet regime, and of every member who continued in it as an agent of a foreign power. Although the listing of such agents would carry no legal sanctions, it is not likely that any but a hardened core would be prepared to flaunt publicly the fact of their primary allegiance to a hostile power. The Communist party would, of course, seek to mask itself behind other organizations, but it would do that less easily than today. The Progressive party and the American Labor party in New York, though notorious Communist party fronts, cannot be molested under the Smith Act because they are careful to avoid teaching or advocating revolutionary overthrow. Nor would they—or should they—be molested, as organizations, under the Foreign Agents Registration Act. But if the mechanism by which they were set up were ever publicly exposed, those individuals who moved behind the scenes might very well have to be listed under the Foreign Agents Registration Act.

Nonetheless, the Supreme Court has now so interpreted the Smith Act as really to amend it. Advocating violent overthrow is illegal only when such advocacy constitutes a clear and present danger to the security of our democracy. (The general principle behind that interpretation is unassailable except in the eyes of ritualistic liberals who have forsaken the primary tenet in the faith of a liberal, viz., the use of intelligence to determine which of the conflicting claims behind a conflict of rights is prior.) A way should be found, however, to leave the determination of the fact that a clear and present danger exists to juries or to Congress, instead of making it subject to legal determination by the bench at any level.

HOWEVER doubtful the wisdom of enacting the Smith law, the wisdom of now repealing it is even more doubtful. Such repeal would give new life to an illusion whose widespread and pernicious character was partly responsible for the original enactment of the Act: namely, that the Communist party is a political party like any other on the American scene and therefore entitled to the same rights and privileges as all other American political parties. The currency of this attitude among certain circles, especially in the colleges and universities, is amazing. Here is a man who applies for a commission in the army, a research post in a key plant, an important professorship in which he has an opportunity to influence thousands. If he has the technical qualifications, he is entitled to the position no matter whether he is a member of the Republican, Democratic, or Socialist party. Given knowledge of what these parties are, there can be no doubt about this—nor is there. But, then, nine times out of ten one hears—or used to hear—"and since the Communist party is a legal party, just like any other, a member of the Communist party is also entitled to the post for which he has technical qualifications, just like anyone else."

That the Communist party, although legal, was an organized conspiratorial movement to destroy the structure of freedom in every aspect of political and cultural life was either not known or ignored. As a result of the court trials held under the Smith Act, the facts about the Communist party, proven in the sharp debate and prolonged inquiry of the legal process, are now easily accessible. To repeal the Smith Act, instead of continuing the process of reasonable amendment, would probably lead many to conclude either that the Communist party had changed its character, or that it did not really advocate the overthrow of democratic institutions by force and violence. Both conclusions would be false.

To reasonable and responsible men, the conclusion will appear plausible that, as long as the cold war rages between the Soviet Union and the democratic West, the Smith Act, now the law of the land, can by amendment and intelligent enforcement serve a therapeutic function without endangering the tradition of American rights and liberties.

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MANHATTAN'S OLDEST JEWISH SETTLERS

The Sephardi Grandees Suffer a Sea Change

CHARLES REZNIKOFF

IT IS somewhat of a surprise to a plain Ashkenazic Jew, reading David de Sola Pool's new book about early Jewish settlers in New York, to learn how early the Jews from Central Europe (Ashkenazim) outnumbered the Jews originally from Spain and Portugal (Sephardim). Perhaps less striking to an American Jew, who takes democracy for granted and is unacquainted with the ancient hidalgo pride of the Sephardim in London*, say, or Amsterdam or Bordeaux, is how democratic the "aristocratic" Sephardim in New York always were —in life and in death.

To write about early days is to haunt cemeteries and to read gravestones, if one can, as well as books. Dr. Pool's book is accordingly, to begin with, a history of the older cemeteries of Shearith Israel, the Spanish and Portuguese congregation in New York. It is particularly a history of the second cemetery—now facing the New Bowery. No one is as well qualified as Dr. Pool to write this book, for he has been the rabbi of Shearith Israel since 1907 and has gathered his material for many years from the records of the congregation and the city and from the broken and worn tombstones.

It is a troubled history: of difficulties with the ground of the old cemetery's hill that kept sliding and exposing coffins and bones, and then of the ordinances of the growing city forbidding further burial and of land taken for streets until the cemetery on the New Bowery remains, as Dr. Pool observes, practically "the little hook of land" that was granted the Jewish community of New Amsterdam for its first cemetery. In the cemetery facing the New Bowery the dead were buried in a row, as they died, without distinction of place. As late as 1829, thirty-five members of the congregation wrote the trustees: ". . . each person should be Buried in the Row . . . for whatever destinction [*sic*] exists in Life, there is none in Death. . . ." The gravestones, too, are modest: they have as a rule no symbolic figures because of the Jewish tradition against "a graven image"; here are no elaborately carved gravestones as in the cemeteries of the Sephardim in Europe, no coats-of-arms or scenes from the Bible. There are, however, the Cohen's hands outstretched in blessing, the ewer and basin of the Levite, the hand of the Angel of Death cutting down the Tree of Life.

JUDGING from the names and languages on the tombstones: before 1725 the Sephardim outnumbered the Ashkenazim in

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IN ADDITION to his distinctive talents as poet and novelist, CHARLES REZNIKOFF has been one of the most graceful and scholarly chroniclers of Jewish history in the United States. Commenting here on David de Sola Pool's erudite parish history, *Portraits Etched in Stone*, recently published by Columbia University Press (543 pp., $10.00), Mr. Reznikoff —by blood, as far as he knows, pure East European Ashkenazi; moreover, of the Brooklyn settlement—evokes for us the memory of Manhattan's Sephardim of an earlier age, those Jewish "aristocrats" who on their transplantation to America became simply a normal and unassuming part of the small and close-knit Jewish community of 18th- and early 19th-century New York. Mr. Reznikoff, with the collaboration of Uriah Z. Engelman, was author of *The Jews of Charleston* (1950); his volumes of poetry include *Five Groups of Verse*, *Jerusalem the Golden*, *In Memoriam: 1933*, *Separate Way*, and *Going to and Fro and Walking Up and Down;* his novels are *By the Waters of Manhattan*, *Testimony*, *Early History of a Sewing Machine Operator* (written with his father, Nathan Reznikoff), and *The Lionhearted*.

*For a discussion of that group, see "The Hidalgos of Bevis Marks," by Mark Raven in the November COMMENTARY.

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New York; from 1726 to 1750 the proportion of Ashkenazim "increased markedly"; after 1775 the Ashkenazim outnumbered the Sephardim in an ever greater proportion. But conclusions based on tombstones, Dr. Pool warns us, may be misleading: the names of women may show only the names of their husbands; tombstones would show only the older members of the community; the more expensive tombstones would very likely outlast others; the flat tombstones of the Sephardim in any case would outlast the upright stones of the Ashkenazim; and many tombstones, as well as graves, are lost.

Dr. Pool, however, has other evidence. Of the twenty-nine who in 1728 contributed to the purchase of a new burial ground, sixteen clearly have Ashkenazic names and twelve Sephardic; in the same year, of the list of contributors for building the new synagogue, thirty-four have Ashkenazic names and twenty-nine Sephardic. But the twelve Sephardim who subscribed to the cemetery fund gave more than the sixteen Ashkenazim. The subscriptions to the synagogue fund show the same proportion of donations. The earliest regulations of the congregation to be found, also dated 1728, are signed by nine with Sephardic names and by six whose names are Ashkenazic. From all this Dr. Pool concludes that by 1728 the Ashkenazim in New York were somewhat more numerous, more recent immigrants and therefore probably younger, and not as prosperous as the Sephardim, but that the Sephardim were still the more influential. Finally, he cites a letter of about 1729 from a member of the Jewish community of Curaçao to two Sephardim of New York: ". . . the asquenazum or Germans," says the writer about New York, "are more in Number than Wee there. . . ."

Now all this is not merely of interest to a local historian or an antiquarian; for it was a notion held for a long time, and perhaps still held by many, that the Jews who came here before the American Revolution were almost all Sephardic. It is of interest also in showing the influence of a democratic America that in New York, unlike European communities, Sephardim and Ashkenazim got along very well together. The Sephardic ritual was accepted by all until 1825 when Bnai Jeshurun was organized, but until then, as Dr. Pool points out, of the presidents of Shearith Israel from 1729, forty-two had Ashkenazic names and only ten Sephardic, and of these ten, eight were members of the Gomez family. Although the first generation of Sephardim and Ashkenazim rarely intermarried—not Sephardic pride so much as different backgrounds of language and culture—afterwards intermarriage between Sephardim and Ashkenazim was not uncommon.

IN WRITING of the old cemetery now facing the New Bowery, Dr. Pool had to write of those who lie in the graves or did lie there once. And he has brought before us not only the members of the congregation from 1682 until 1831 but the Jewish community of New York during that period, because until 1825 Shearith Israel was the only congregation of Jews in the city. He has tried, Dr. Pool writes, to bring the dead from the "dust of their burial ground . . . into the brightness of their homes, their families, and their lives." In this he has been as successful as a man of his learning and sympathy for his fellow men can be. Perhaps only the "dew of the Resurrection," as the rabbis have construed a verse in Isaiah, will be more so.

We hear, for example, the complaint of Joseph Isaacs who, according to his petition for relief, "willing to do their Maj'tys all the service he could in these . . . troublesome times, listed himself" as a soldier in King William's War (1691). "Att wont for a Gunn," he was supplied with it by Captain William Merritt. But the gun was taken from his lodgings by a certain Thomas Clark. Isaacs discreetly adds "for what reason he . . . knows not." And Captain Merritt wanted his gun back or five pounds for it and "dayly threatened" the unlucky Isaacs.

Another unlucky Jew may have been the Benjamin I. Jacobs who in 1784 was in love with a young woman—not a Jewess but who

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wished to become one, for love of him, perhaps, "and to live in the strict observance of all our Laws and customs." He petitioned the president of the congregation that they eloped and he would not pay any debts she and custom of the Jews." This may have been the very Benjamin Jacobs who advertised in 1786 that his wife Elizabeth had eloped and he would not pay any debts she might contract. Elizabeth advertised in reply that no one who knew him would trust him with a shilling.

THEN, too, there was Walter J. Judah, "student of physic," youngest of twelve children. His father died when he was three and, as the family established themselves more or less, his mother and elder brothers decided to make a doctor of him. He went to college and attended "Doctor Hosack's lectures" and another doctor was paid a fee of $100 for teaching him. In 1798 there was an epidemic of yellow fever in New York—more than two thousand died that summer of the fever—and Walter, then a young man of twenty, ran "swiftly as a hart to bring healing" (so the Hebrew of his tombstone reads) and bought medicine "from his own purse." But he, too, fell sick of the fever and died. "May they prepare for him his canopy in Paradise," the tombstone adds. (It is the only stone in the cemetery that has a somewhat elaborate picture: this shows New York from the East River in 1798 and an angel with a sword over the city and a hand from Heaven cutting down the Tree of Life.)

On a night in August 1789, Hayman Levy, merchant, patriot, and president of Shearith Israel when it was reorganized after the American Revolution, was suddenly taken sick. (He was the man for whom John Jacob Astor once worked for a dollar a day beating furs.) His family sent for Gershom Mendes Seixas, minister of the congregation, who lived on Mill Street in back of Hayman Levy's house on Duke Street. The minister "found Hayman Levy sitting in a chair with a written paper in one hand and a pen without ink in the other. The hazan (Seixas) asked him what was the matter. Hayman Levy answered earnestly, 'I want ink. This is my will and they won't give me ink.' He again called for ink, but in the confusion the family was unable to find any." Levy then began to say the prayers of the dying and Hazan Seixas prayed with him. The doctor who had also been sent for came in and the hazan left the room. When he returned a few minutes later, Hayman Levy was dead. His family offered the unsigned paper as his will but the court refused to admit it as such.

One of the last to be buried in the old cemetery on the New Bowery was Grace Nathan (d. 1831), the younger sister of Gershom Mendes Seixas. She could write a vigorous prose and Dr. Pool quotes from one of her letters during the War of 1812: "I cannot for the life of me feel terrified. Besides I am so true an American—so warm a Patriot that I hold these mighty Armies—and their proud-arrogant-presumtious and over-powering Nation as Beings that *we* have conquered and *shall* conquer again. . . . And may the Lord of Battles grant that it may be so." Among her many distinguished descendants was Justice Benjamin Nathan Cardozo.

IT MUST not be supposed that discussions as found in the records of the congregation were always, for all their formality, about important matters. Dr. Pool tells, for example, of a difficulty that began when Jossie Hays (Jossy Pinto, d. 1808) and another young woman wanted the same seat in the synagogue. The *parnassim* (presidents of the congregation, for a Sephardic congregation had two—the *parnas presidente* and the *parnas residente)* and the elders ordered both young women to take the seats they had formerly. But Judah Hays (d. 1764), Jossie's father, was not satisfied with this decision. So, at the next meeting of the elders (July 17, 1760), it was decided, according to the records of the congregation, that "by lengthening the bench on which Mrs. Hays sets in Synagogue, there might be a seat found for Miss Hays . . . (and the) bench was prepared accordingly. . . ."

Mr. Hays was still dissatisfied or more

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likely, although Dr. Pool thinks him merely stubborn, a mouthpiece for the dissatisfaction of his daughter and, perhaps, his wife. "Thereupon the whole Congregation was summoned, and met accordingly, who, unanimously voted, that the Seats given by the Parnassim were well Given and should Continue." Judah Hays, it seems, still protested. The electors of the congregation met again and it was resolved for his "Contempt, in not doing as he was directed by the Parnassim, and still insisting not to Comply with their Order, That he be fined forty Shillings, and until he pays said fine and causes his Daughter to be seated as they directed that he may not be looked upon as a member of our Society, but be Excluded from the Rights and Ceremonies of the Synagogue. And as they would not be thought to act with Rigour, Ten Days is allowed him to consider thereon. . . ." This, as far as the record detailed by Dr. Pool goes, ended the matter. It may be of some interest, however, to note that his daughter's tombstone in listing her father's virtues describes him as "humble."

Certainly, even in those days, children were a source of worry. Dr. Pool quotes a letter written in 1769 to Joseph Simons, the Indian trader of Lancaster, Pennsylvania, by the father of the distinguished Gershom Mendes Seixas (d. 1816), patriotic minister of Shearith Israel for almost fifty years. Gershom Mendes Seixas was then twenty-four years old and had been minister of the congregation for a year (elected unanimously). "Permit me, S^{r}," wrote Isaac Mendes Seixas, "to Recomend my Son to your particular notice, he has never been so far from home, and if you find anything amiss in his behavior, impute it favourably to his want of Experience, & Kindly admonish him for it, & Excuse my freedom, our old acquaintance is my only apology."

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THUNDERSTORM, RIVERSIDE DRIVE

BABETTE DEUTSCH

Who, above, prepares an austere fiesta?
None. It is carpets of cloud unrolling prove
The heavens desire dancing. Clearly they also
Require grey, for all wear grey. In an enormous
Hush the ethereal crowd advances.
It will have trumpets, drums. Are gay girls hidden
In veils O grey as fear? Are hierophants
Proudly pavanning toward a sacred murder?
Clouds
Are darkening here, nothing but clouds.

It is a huge fiesta, if austere:
Faces shrouded, feet shod with fog,
What appeared as gods or girls are mountains dancing.
Muffled their Highnesses are, yet moving lightly
As mist, they advance and bow, they retreat, they have changed
Places. It is a dance O it is a dance. Fire
Veins their approaching embrace. Have they kissed
At last, who vastly glow, part sombrely, go off?
Clouds
Are lightening here, nothing but clouds.

It is a fierce fiesta, no more austere
Than if clumped torches rearing on the rumps of
Elephants lit up an emperor's games.
The elephants trumpeting, the amphitheatre
Reverts O to a jungle clearing. About the kill
Fiery lions too proud to tear, tread,
Bound and roar, grumble, roar, are still. The air,
Fanned with sound, cools.
Clouds
Are tumbling here, nothing but clouds.

The clouds roll forward greyly bellying. Rain
Pours down the cliffs, on the bunched factory lights
That quench and flare. Under fresh sluice the river is
Dimpling iron, and the beetlebacked limousines, like the asphalt, black
And bright. The thunder has stopped. The lurid branches
Of lightning, the hushed heat lightnings blotted out
By clouds loosing the rain. They pass away.
The rain ceases. There is nothing here
But memory of an austere fiesta.

Babette Deutsch's most recent volume is *Poetry in Our Time* (1952), which is at once a moral and technical history of 20th-century poetry. Miss Deutsch is guest professor of English at Columbia University.

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FROM THE AMERICAN SCENE

MY FATHER WAS A DOCTOR

Memoir of a Scion of a Jewish Aristocracy

HELEN RATNOFF PLOTZ

A LONG time ago, when I was the Doctor's daughter in the Russian Jewish community of Brooklyn, the doctor was at the very top of the tree. The wealth of the "allrightnik," the learning of the rabbi, the worldly polish of the lawyer —all were overshadowed by the prestige of the doctor. His little black bag, the subject of jokes in more sophisticated circles, was a badge of honor as significant as the jeweled garter or the red ribbon.

Probably the doctor has called forth this particular kind of veneration in other times and places; indeed, Robert Louis Stevenson's rather flowery tribute to the doctor is still reprinted by drug companies and distributed to their medical patrons, and not long ago the American Medical Association used Sir Luke Fildes's sentimental Victorian painting "The Doctor" as one of the guns in its fight against compulsory medical insurance. But neither Stevenson nor Fildes could exceed our neighbors, Father's patients, in their worshipful devotion to the doctor.

Into the sickroom the doctor brought not only his skill and a boundless sympathy, but something of the air of a larger world where Jew and Gentile met together as equals and comrades. The bright vision of that emancipated world which had risen before Jewish eyes in the Old Country, as they read the letters from America, was dimmed somewhat by the shabby realities of the tenements and the sweatshops, but by no means destroyed. And Father with his fine "English" education and his American-born schoolteacher wife was living evidence that this dream America really did exist. Had he not been born in just such a little Russian town as theirs, crossed the ocean in the steerage, and worked in Wanamaker's while he studied for the scholarship that enabled him to study medicine at Cornell University? A greenhorn of greenhorns at eleven—a doctor at twenty-four—there was America for you. Besides, he voted for Debs and made no secret of his socialism. So when Father came to see patients he had to advise them not only about the baby's running nose ("Wipe it," he would say), but about the job, the boss, the mother-in-law, and the neighbors. And since Father had himself not forgotten the bitter poverty of his early years in America, he added to the other magic in his little black bag an intuitive understanding of un-

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As THE daughter of a doctor in the thriving and MD-respecting Jewish community of Brooklyn, HELEN RATNOFF PLOTZ grew up in the chambers of royalty, and, like little princesses everywhere, she found that what with prescribed music lessons, symphony concerts, and visits to European cathedrals, the undeniable blessings of her exalted station were not unmixed. The subject of this memoir, Dr. Hyman L. Ratnoff, a pioneer pediatrician in Brooklyn, was a graduate of Cornell Medical School and served on the staffs of Beth El Hospital and the Kingston Avenue Hospital; he was born in Pinsk in 1882 and died in 1944. Mrs. Plotz herself was born in 1913, was graduated from Vassar in 1933, and married a doctor's son (and grandson) to become a doctor's wife. She has four children, two of each sex, and on a recent visit to Europe did not fail to take them through the cathedrals—though also, she assures us, with frequent stops for ice cream. Mrs. Plotz and her husband would like nothing better than to have all four of their children grow up to be—doctors.

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derlying social and economic factors in his patients' maladies and lives, and inevitably became the father confessor and spiritual prop of countless families. In Brownsville and its environs, he was the mythical American country doctor personified.

PERHAPS because he remembered his early struggles, Father was always eager to shield his children from the troubling realities of so much in the harsh life around us, and he succeeded in this—perhaps too well. As the only daughter of the Doctor, I shared in the power and the glory. When Father called for me at school (naturally, I couldn't cross the street alone), the car, a Reo, was instantly filled with youngsters begging for a ride or just for the opportunity to see the Doctor plain. One little girl—I can see her yet—did succeed in riding home with us one day on the pretext that she lived around the corner; but when we reached home she admitted that all she wanted was to see the Doctor's house. How different the Doctor's house was from the other houses I could only guess, for I never entered one of the others and could not imagine being without plenty of books and dolls and clothes, much less without three abundant meals every day. My notions corresponded with those of Stevenson's little prig:

The child that is not clean and neat,
With lots of toys and things to eat,
He is a naughty child, I'm sure,
Or else his dear papa is poor.

I was the only doctor's child in the class, and not only did the children crowd to touch the hem of my garment, but the teacher favored me openly and the principal sent me on innumerable errands of state. My pretty dresses, and the fact that we spoke English at home, seemed conclusive evidence, to me as well as to my classmates, of our royal blood. And when the teacher listed my father's occupation, amid all the painters, pressers, and peddlers, the word "physician" shone out like Abou ben Adhem's name.

Business, no matter how prosperous, was somewhat vulgar according to our standards—one of Father's favorite targets was the *nouveau riche* businessman who thought his money could buy anything he wanted. Father might have claimed that his contempt for the profit-maker stemmed from his socialism, but more likely it was part of the traditional Jewish disdain for the *"handler"* as contrasted with the scholar. For Father, "entrepreneur" meant *"luftmensh,"* and in spite of all my high school and college courses in economics, I am still snobbishly hazy about the business world.

What with Father's belief in germs and various other new-fangled notions—we were kept in almost constant quarantine. (Needless to say, the result of all this aristocratic and hygienic isolation was that we had every known childhood illness and a few unknown ones.) We were put to bed at seven while all other children stayed up half the night, they said. No coffee, no movies, no penny candy for us. I did find a way out of this last deprivation: I let it be known that I would accept penny candy, and every day after that one of my vassals would have the privilege of sharing the licorice strings, Uncle Wiggilys, or shoe-button candy with the Doctor's daughter who ate from a germ-proof plate at home but had not a penny in her pocket. The rich spicy fragrance of pickles and pastrami tantalized us daily, but though I dared to eat the candy, I knew that "delicatessen" was plain poison.

In our house, cleanliness came a long way before Godliness—the latter indeed had little houseroom with us, thanks to Father's socialism. Mother had somehow convinced herself that starch added something to my already painfully clean clothes, so that when I discarded my long and scratchy underwear about Decoration Day, I changed to equally scratchy, stiff-starched cottons. My childhood was one long itch. The constant bathing, shampooing, and clothes-changing were part of the ritual attendant upon our position as the Doctor's family, or perhaps symbolic of the middle-class standard to which our parents clung so stubbornly in the swirling tides of noisy, exciting, and often unwashed life which surrounded us. (Father's socialism, which served to keep religion away, did not extend into our own lives or keep us from attaining an ever higher standard of living, and at last it disappeared for good when he began to vote for Roosevelt.)

SOON after the First World War, doctors began making pilgrimages to Europe to study and prepare themselves to become

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"specialists." Father had been specializing in children's diseases almost from the beginning of his practice and now he was to complete his training by studying with Dr. Finkelstein and Dr. Czerny in the Berlin Clinics. That Father should return in triumph, first-class, to the Continent from which he had so thankfully escaped via farm cart and steerage, seemed to us children not at all miraculous. It was merely another of those unexplained family activities like going to the country or visiting the grandparents.

Our family went to Berlin and Vienna after a preliminary dash through France and Italy. When Mother, like an American lady in a Henry James novel, visited museums and cathedrals, we children came too, willy-nilly. Indeed, I used to close my eyes tight, no matter what wonders were still unseen, when I had reached my saturation point. During a tour of Venice, Father rescued me from the Piazza San Marco and its photogenic pigeons and took me to a café for ice cream. The intuition that never failed his patients had allied him with a worn-out, cranky nine-year-old and provided me with an experience to be remembered long after I had forgotten the Bridge of Sighs and all the Doges.

When we reached Berlin, Father attended clinics and lectures while Mother shopped for linens and china and pictures. We played in the Tiergarten and now and then did the lessons in the American schoolbooks we had brought with us. Not for nothing was Mother an ex-schoolteacher!

Nineteen twenty-three was a year of Sturm und Drang in Europe, in which even we were involved. But, so far had our parents become imbued with American naivety, even they did not realize that we were living on the fringe of a revolution. And for us children, of course, such things as inflation and economic collapse had no meaning.

That spring the French occupied the Ruhr. Father took me to the Reichstag to hear the speeches. Our family lived in the Furstenholf Hotel on the Potsdamer Platz, almost in the center of Berlin. During that afternoon a mob gathered outside the hotel because some patriot had observed that the hotel was flying its own flag instead of the flag of the German Republic. A squad of youths was detailed to tear down the hotel flag and to force the manager to run up the Red, White, and Black. While the mob surged about, we went out onto the balcony to watch. Instantly, it seemed, the attention of the crowd was focused upon us. Angry shouts of "*Amerikaner*" reached us before we retreated to our rooms. I was petrified with fear, of course, and mingled with the fear, even then, was utter astonishment that anyone should not like us. And I think Father and Mother were as surprised as we when they grasped the fact that we were resented as minions of "Uncle Shylock."

The year of pilgrimage ended, we returned to Brooklyn and moved into our new house. Now I was no longer *the* Doctor's daughter, but one of the doctors' daughters, for we had moved to Park Place, which was known as Doctors' Row. My playmates were mostly the children of the other doctors, and our lives now moved in a closed circle where doctors consorted with other doctors, doctors' wives with other doctors' wives, children with children. At parties, the doctors sat together and talked shop—I can't recall any talk that didn't center around cases and prognosis and diagnosis and treatment. Almost unconsciously the wives and children absorbed the jargon, and our vocabulary bristled with technical terms, often misused, I have no doubt, but certainly impressive. Our community was as inbred as a minor Balkan court.

And what a court it was. By now the doctors had become mightily prosperous. Not millionaires, indeed, not even "Jewish millionaires," but still an incredibly long way from the little Russian towns and the crowded Brooklyn streets of their early years. Now they were working harder than ever, still climbing to the sixth floors of the old-law tenements and still carrying their little black bags. But their offices and homes were far away from those dingy surroundings and their children farther still.

The new offices and the new homes were furnished with trunkfuls of things their wives had brought from abroad. Our grandmothers had had Brussels lace curtains, when they could afford them, and portieres between the rooms. Our mothers replaced the Brussels lace with damask draperies and discarded the portieres. But the tables still burgeoned with "throws" and the sofas with

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cushions. The rugs were Oriental where Grandma's had been Axminster, and the walls were covered with etchings and paintings. The grandmothers had had plate rails, the mothers had curio cabinets filled with *objets d'art*. Or almost art, anyway. Needless to say, the doctors' offices were adorned, one and all, with Fildes's painting, "The Doctor."

And now the Doctor's daughter became even more the child of the bluestocking schoolteacher of the period. Mother had willingly and efficiently scrubbed and cooked and answered doorbells and telephones in the first years; but now there was a housekeeper and a nurse, and Mother was ready for more worlds to conquer. With the same zeal she had devoted to her babies and her husband's career, she turned, or rather returned, to two other pursuits: Culture and Good Works. And with Mother on her quest went the other doctors' wives, not many of them, to be sure, so well armed as she, for she had a diploma from Hunter College, something which few of the other doctors' wives had achieved.

For our sakes, Mother sat through endless Saturday mornings at the Philharmonic and eternal afternoons at the Brooklyn Academy of Music. Of the Academy programs, only one remains with me. Every year, a nice old gentleman taught us bird calls; if you should need a red-eyed vireo some day, I could probably fetch one for you. There were excursions to the Metropolitan Museum of Art, which in those far-off days had no children's programs but only hard floors and harder benches, and to the Children's Museum where we felt more at home and where we sometimes went of our own accord when we could escape from some part of our full "leisure-time" program. For there were piano lessons, too, of course—the recorder had not yet replaced the piano as the chosen instrument of the intellectuals. Some of us had elocution lessons and were called upon to recite "The Polish Boy" at birthday parties. Others, myself among them, suffered through the barefoot—or aesthetic—school of dancing introduced by Isadora Duncan. Our teacher, her bony frame draped in the approved Greek tunic, would beg us to do just what the music told us. Alas, it told me nothing, but fortunately the little girl in front of me was a receptive creature, so I did what the music told her. To this day, I can't hear a Brahms waltz without a reminiscent chilblain.

Our mothers organized Reading Circles and themselves worshiped at the shrines of Edward Howard Griggs and William Lyon Phelps. And they took the Delphian course. The volumes of the Delphian course were so forbidding in appearance that Father used to keep his spare cash in one of them; he said that no self-respecting burglar would open anything so highbrow.

I much preferred Mother's Good Works, for the inevitable concomitant of sweet charity in those days was food even sweeter. And there the doctors' wives were invincible. Though they had their faithful Annies and Maggies in the kitchen, our mothers were themselves formidable cooks, mine an inspired one. Luncheon followed elegant luncheon and tea succeeded tea, all in some good cause. When I came home from school on a luncheon day, I made straight for the kitchen where Schnecken and cheesecake, cream horns, chocolate éclairs, and Bund cake jostled each other on the table and the Hoosier cabinet; and on the morning after a dinner party my brother and I could raid the icebox before breakfast for caviar and strawberries. The creative energy which nowadays goes into ceramics or Sunday painting was expended then on pineapple baskets of fearful intricacy and butter roses worthy of a more enduring medium.

Our parents felt good about the whole thing, too—and approved of themselves. When they turned over a check to the director of the Hospital or Settlement House, they did it from no uneasy conscience. Social service, or charity, as they thought of it, had taken the place of religion in their lives. Deeply Jewish, they were concerned almost wholly with secular causes. Mother served on the board of Council and Federation and most of all she was interested in the hospital to which Father gave unsparingly of his time and energy and money. Year after year the doctors' wives faithfully raised the money that the hospitals needed for linens and layettes and social workers. In Calvin Coolidge's glorious days, no complexities of "community service," "aspects of guidance," or "in-group and out-group" disturbed the innocent good will of our mothers. If people were poor,

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you did your best to feed, clothe, or cure them. The poor we would have always with us—at least until the triumph of socialism, and even that vision was more than usually vague on the female side. That the poor should cease to be the poor and become the underprivileged or the marginally employed or the psychologically maladjusted was not in their ken. There were, of course, the deserving poor and the undeserving poor, and even then, I suppose, undeserving poverty, as Liza Doolittle's father said, had more ginger in it. It remained for the depression to erase the distinction between the worthy and unworthy poor, as well as between the thrifty and the improvident, and to make charity a dirty word. Meanwhile Mother and the other wives continued happily to take in each other's washing, and to eat the sweet cake of charity.

The Jewishness of our parents was reflected not only in their causes, but in the cuisine that served those causes. It was before the triumph of creamed chicken in patty-shells or the Women's Page of the Brooklyn *Daily Eagle*. Though our mothers had forsaken *kashrut*, they devotedly prepared the immemorial foods of their ancestors.

Blintzes, latkes, tsimmes, chopped herring, and that supreme Jewish creation, gefilte fish, appeared not only at family meals, but at the ladies' luncheons or the evening dinner parties, where the silver platters bore the gefilte fish as proudly as if it were turbot, and the potato *kugel* testified that the joy of the flesh was more important than the waistline. So it came about that we knew we were Jewish. Even now, when I am confronted with a plate of library paste on white toast, there rises to the surface of my consciousness, unbidden and hastily to be repressed, the unacknowledgeable, the prejudiced word *"goyish."* So, no doubt, does a similarly forbidden word peer over the threshold when yet another arid and ponderous sponge cake is set before an assimilated Gentile.

NEITHER the *shul* of the Orthodox immigrants nor the elegant Reform temple of the "aristocratic" German Jews played any part in our lives. To be sure, in despite of Father's socialism, Mother—in a vague gesture of propitiation to the ancestors—sent us to Sunday school and confirmation classes. My brother had a hasty Bar Mitzvah. But nothing of this touched our real lives. The spiritual yearnings of my adolescence were not transmuted into the piety of an earlier day or into the militant Zionism of a later one, but into a nebulous Shavian socialism combined with an undefined aesthetic dedication.

The routine of our lives was almost but not quite identical with that of our new upper-middle-class neighbors. Only about half the houses on our street belonged to doctors, the rest were occupied by well-to-do business executives. Like the "lay" children, we went to camp in the summer, had our teeth straightened, and belonged to the Girl Scouts. But long after we had lost the aura that had been ours in earlier days, we retained one special privilege not given to even the most favored of the others. We had the day-to-day companionship with Father to set us apart from our schoolmates. Father lunched at home, usually with us, and was constantly in and out of the house. Harassed as he was by the telephone and doorbell, he had little leisure, but he spent the odd moments of his time with us and into those moments we crowded many rich experiences.

We had no long evenings by the fireside with Father reading his paper and Mother at her work-basket, as immortalized by hundreds of books and countless calendars and Christmas cards. But more than balancing this, I had the high privilege of "going on calls." In the times when I didn't have a music or dancing lesson, I accompanied Father, and it was then that I could talk to him without interruption, and he told me about himself. By now, Father had begun to let me see something of "reality," of the struggle of his youth and his life—and I began to grow up.

Sometimes Father would take a carful of youngsters along, and as we rode from Flatbush to Williamsburg, from Canarsie to Brownsville, he told us an unending series of personal reminiscences, some, in retrospect, a little imaginative, but none beyond our admiring belief. One of his favorite stories was the account of his departure for medical school. Grandfather sat reading the *Forward* while Father, ticket in one hand, second-hand straw valise in the other, tried to say goodbye. "Papa," he said, "I'm going

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to college—to Ithaca—to be a doctor." At last Grandfather put the paper down and let his glasses slide forward on his nose. *"Nu, geh!"* said Grandfather calmly and returned to his paper. The story became a family joke, but when I tried to invoke Grandfather's ghost so that I could start for college unencumbered by family, Father had a hard struggle with his protective instincts. I was cosseted and posseted within an inch of my life, whether because Father had himself missed the cottonwool of parental concern or because he was too aware of pestilences and plague, I have never determined.

Father was physician to the City Hospital for contagious diseases, and when he made his rounds there the children waiting in his car would stare in fascination at its buildings, hoping and fearing to catch a glimpse of the lepers for whom, Father said, the city had built a little house on the grounds. He told us about his internship there, his rounds in the horse-drawn ambulance, and about the dreadful summer of 1916 when hundreds of children were brought into the polio wards and when he took time out from the hospital only to visit Mother in the New York Hospital where the family's latest had made his premature appearance. The baby had little will to survive, but Father made him live by putting him into a room lined with hot water bottles and having air pumped into his reluctant lungs. The improvised incubator and its occupant became famous, and the awe of my brother's special origin endowed him, like Macduff, with a most unfair advantage over me.

Going on calls was one of the constants of my life and it outlasted the dancing lessons, the braces, and the summer camp. The last time I went on calls with Father was on my wedding day. Characteristically, I left Mother to cope with all the details while I tried to recapture my childhood in a last ritual.

FATHER had been an enthusiastic reader in the days when he was still struggling with a new language, and somehow between jobs he had discovered Mark Twain, Shakespeare, and Coleridge. He detested highbrows and laughed at lectures, but he transmitted to me his enthusiasm for his favorites. I had no suspicion that Mark Twain was "culture," so I read him from cover to cover many times over. Father's own humor was startlingly like Mark's. He too had that paradoxical blend of love for exaggeration and the instinct of deflation. Mark's solitary esophagus is pigeonholed in my memory next to Father's offhand "Professor Borsht of the Stchav Clinic" injected into the pedantic and boastful atmosphere of a medical meeting, and Mark's gaping at the Art of Europe and asking solemnly "Is he dead?" has its parallel, for me, in Father's remark to a group of doctors awestruck by the magnificence of the marble staircase in one of the movie cathedrals: "You know," he said, "we had a staircase like that in my boyhood home." And while his audience was still looking incredulous, he added, "For the servants, of course."

His interest in Coleridge I can't explain rationally, but why should I? When I was about seven, he brought home to the house in Brownsville the Doré *Ancient Mariner*. We two sat down on the floor and Father took me with him into that strange and thrilling world. In the next months, Father read me the *Ancient Mariner* many times until I knew it by heart. I can't recall that he ever read me anything else, and now, after more than thirty years, I still cannot read the poem without hearing Father's voice with its ineradicable foreign accent echoing through every line.

Father despised hobbies—a prejudice that he passed on to me—never played golf, never fished, traveled unwillingly and too fast and never looked at scenery. He did play cards—pinochle with the old socialists, bridge with the doctors—but as he said, cards weren't a hobby. He did have one collection though, and that was first names. He collected names as lovingly as other men collected stamps or coins. He used to trace for us the evolution of Malkah into Molly and thence into Marlene or the progress of Beryl from Bernard to Barry. One of his patients, he said, had agreed wholeheartedly with him when he suggested that Abraham Lincoln's mother would surely have named him Alan if she had only been more up to date. Another mother had indignantly rejected the name of Michael as too *goyish*. Her baby was to have a good Jewish name—Milton. And so he did.

THERE was one aspect of my life as a doctor's daughter I longed to escape and

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never could. That was parties. Was life one long party in the boom days before 1929? As I look back on my life it seems unremittingly punctuated with festivities. When I reached my teens, most of my rebellion centered around the innumerable luncheons and teas to which I was unwillingly led. At my twelfth-birthday party my childhood ended, not with a whimper but a bang, and my adolescence began. One of the conventions of our circle was that the mothers bought the gifts we exchanged at parties, so that when the packages were opened the giver was as interested as the recipient and as surprised. At this party, one of the boys thrust a package at me. I opened it and drew out a pair of pink silk panties. When we saw the panties, my pained and outraged cry was echoed by all the other little girls. Without a backward glance I rushed up to my room to dissolve in an agony of tears. The boy was even more appalled than I and certainly equally surprised, but I had no pity to spare for him. In the scene that followed the debacle, Father unexpectedly sided with the boy and tried in vain to quell my self-righteous rage. I told myself that Father was just another insensitive male—a good thing too, I see now as I look back on this revolt of my puritanical self against my tolerant parents.

As the doctors' daughters grew, we progressed from birthday parties to luncheons and, at last, to dances. When we were small our parties had followed the classic pattern of games and birthday cake. After the age of twelve, we began to give luncheons or, rather, to have them given for us. When it was my turn to be hostess, Father would occasionally look in between patients or even join us for a brief moment. The double damask cloths, the Rosenthal china, the spun sugar baskets differed not at all from those offered up by our mothers to each other, in a ceremonial as unvaried and impressive as an ecclesiastical rite. I remember most clearly my sixteenth-birthday luncheon. It was St. Patrick's Day, and pale green ice cubes vied with candy mint leaves and cream of spinach soup. Green-tinted cream cheese balls garnished the salad and green candles the cake. No daughters of Erin could have been more faithful than we in observance of the great day.

When we grew still older, there were evening parties. The rugs in the doctors' offices were rolled back, the radio played, there were little sandwiches by the hundred and we danced with the doctors' sons. Our romantic dreams were oddly limited. No doubt a psychiatrist would say that we had strong Father-images. In any case, the fact is that the Lochinvars we dreamed of usually had little black bags draped over their splendid saddles.

When the depression came, the life of the doctors' daughters as we had known it came to an end. But as our parents kept the gefilte fish and still thought green ice cubes were nice for St. Patrick's Day, so we have kept some of the flavor of that older life and some of its impulses—or, as we say these days, compulsions. And now, on some of the long Saturday afternoons I find myself, with the doctor's children, in the Brooklyn Academy of Music, of all places, with the bird calls sounding in my memory.

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CEDARS OF LEBANON

DISCOVERY OF THE EAST EUROPEAN JEW

A Young Visitor in the Old Warsaw Ghetto

FRANZ ROSENZWEIG

IN THE fall of 1913, Franz Rosenzweig gave up his plan to embrace Christianity and decided to remain a Jew. There followed a year of intensive Jewish studies in Berlin. At the outbreak of the First World War, Rosenzweig, then twenty-seven, volunteered for the army and was sent with an anti-aircraft unit to the Balkan front. It was there that his thoughts on philosophy and faith, on Judaism and Christianity, and on man's function in the world began to fuse into one monumental system. The soldier scribbled preliminary formulations on army postcards and sent them home or to his friends. These scattered formulations were to go into the writing of his great book, *Der Stern der Erlösung* (*The Star of Redemption*), a work which was to free modern Judaism from parochialism and apologetics on the one hand, and from grandiloquent claims on the other. But first Rosenzweig underwent an experience that proved to be of crucial impact in his life.

In May 1918, Rosenzweig was sent to an officers' training center in Rembertow near Warsaw, in the part of Poland then occupied by German troops. Here he came in contact with the life of East European Jews.

At that time, to the bourgeois assimilationist, philistine German Jews, the Jews of Eastern Europe appeared proletarian, uncivilized, coarse-mannered, and religiously backward. Zionism had tried to bridge the gulf between the two groups; but Rosenzweig, a non-Zionist, had remained unaffected.

Rembertow came like a revelation. Under the rough and not always pleasing surface, Rosenzweig found the warmth and the vigor of a genuinely Jewish life such as he had never experienced; he found a people unconcerned with the externals of existence, fervently devoted to a life rooted in eternity. Rosenzweig's mother, to whom the letters were addressed, viewed her son's new-found love for Polish Jewry with a growing apprehension; in one of her letters she remarked ironically that her son might don a caftan and grow earlocks. But soon she herself realized that Franz remained a Western Jew, yet one of a new kind: his Judaism became all-inclusive, universal, and of a profound tolerance.

Soon after his return from Rembertow to the Balkan front, Rosenzweig began writing *The Star of Redemption.*

The portion of Rosenzweig's Rembertow letters published here are taken from this writer's presentation of *Franz Rosenzweig: His Life and Thought*, a Schocken Book to be issued by Farrar, Straus and Young on January 22. The translation from the German is by Francis Golffing.—NAHUM N. GLATZER.

[Readers of COMMENTARY interested in going further into Rosenzweig's thought are referred to Dr. Glatzer's forthcoming volume as well as to Will Herberg's article, "Rosenzweig's 'Judaism of Personal Existence'" (COMMENTARY, December 1950), and to Rosenzweig's essays, "Toward a New Jewish Learning," "The Holy," and "On Being a Jewish Person," which appeared in this department in February 1952, October 1949, and November 1945.—ED.]

In May 1918, Franz Rosenzweig was sent by the German army to an officers' training center in Rembertow near Warsaw, in that part of Poland occupied by German troops. May 23, 1918, to his mother:

REMBERTOW is a beautiful park; I haven't seen a village yet, just the barracks in which only Jews are housed; they all seem to depend on the gunnery school for their livelihood. So far I

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have seen only the younger generation. There were also a few Polish children among them. The Jewish boys are magnificent, and I felt something I rarely feel, pride in my race, in so much freshness and vivacity. Driving through the town, too, I was impressed by the masses of Jews. Their costume is really very attractive, and so is their language (*vun vannen kummen zey?*). I noticed that what, among us, is characteristic only of the upper stratum is here typical; I mean the extreme alertness, the ability to place each trivial detail in an interesting context. If you tease a toddler by telling him he's crafty, he answers you with a whole diatribe on craftiness that might have come out of Shakespeare. I can well understand why the average German Jew no longer feels any kinship with these East European Jews: actually, he has very little such kinship left; he has become philistine, bourgeois; but I, and people like me, should still feel the kinship strongly.

Don't forget to send me Cohen's [Hermann Cohen] *Logic* by the pound (return covers!) or preferably by the half-pound, otherwise it's too slow. Our officers seem to be nice. There are tub baths.

May 27, 1918, to his mother:

THE nation is "stiff-necked," but really "a unique nation on earth"; true, we in Germany are degenerate parvenus.

May 28, 1918, to his mother:

I VISITED Warsaw Saturday evening shortly before seven, Sunday from 3:00 P.M. on. It's a very beautiful town, though I've seen very little of it yet; I spent most of my time in the Jewish quarter. It consists of rectangular streets with tenement houses, usually built around several square courtyards so that most of the apartments have rear views. I haven't been inside one yet, but you can imagine from the type of construction what they must be like. The strange thing to me is that the people living in them are not regular proletarians but—Jews. I did not get an impression of abject poverty, such as I expected from descriptions, nor of filth; least of all on Saturday, when I saw many "extra uniforms." I can't help finding the costume very beautiful.

On Saturday I chanced into a Hasidic *steebel* [prayer room]: on Sunday I went into several bookstores and two *heders* [Hebrew elementary schools]. There were two classes in one of them, one for the older children and one for the younger. The contrast with the Mohammedan school in Usküb was very pronounced. First because there were only boys there. Also, among the Hasidim the purely masculine character was striking; all the more so because the meal came between *minhah* [afternoon prayer] and *maariv* [evening prayer], at dusk, the so-called *sholeshsudes*, "the third meal." The "first" comes Friday evening, and Sabbath lunch is the "second." It was only a token meal, whether because of the war or by custom I don't know; the singing was the main thing; I have never heard anything like it. These people don't need an organ, with their surging enthusiasm, the voices of children and old men blended. You'll find one of the songs in one of the last issues of *Ost und West*; I'm sure there has been some reference to it in *Der Jude*.

Nor have I ever heard such praying. I don't believe in all that talk about "decadence"; those who now find all this decadent would have seen nothing but decadence even a hundred and fifty years ago. An adjoining room, smaller, contains the library.

The important thing about the *heder* is that the children do not learn by rote without understanding the meaning, as in Usküb, where the Koran is committed to memory without any idea of its content. I was also struck by the comprehensiveness of the instruction within such a limited sphere. Unfortunately, thus far I can scarcely understand the Yiddish language; reading I find easy, and I try to speak it, but as yet with little success. There were two teachers and one *helfer* [assistant]. . . . I have also been to the *tatshe shil* ["German" synagogue], a large, magnificent synagogue of the assimilated Jews, with, over the portal, a Polish inscription to the Creator by Alexander II who donated the site. Very gorgeous, very assimilated, coiffured, and *so* cold!

Ludwig Haas, a Jewish assimilationist, and a member of the German Reichstag, was appointed by the German authorities to represent Polish Jewry to the German administration. In Warsaw F. R. also met his old friend Hermann Badt.

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June 3, 1918, to his mother:

ODDLY enough it was with Badt that I first visited the Gentile part of Warsaw. Of all people!—Haas is personally delightful; he has the most beautiful gray eyes I ever saw, like two polished metal mirrors. And yet, and yet. . . . He outlined his views on Jews, Judaism, religious education, etc. in a thirty-minute parliamentary speech (quite excellent in its way)—we couldn't get a word in edgewise. He is very intelligent for a politician, very honest as a person, but as a leader and representative of the Jews he has dreadfully little Jewishness. The idea of this man's being allowed to play the part of destiny for the Polish Jews is a ghastly one. Later, when I was finally allowed to speak, I grew polemical, but still not enough. His Judaism consists in a sense of pride in belonging to this time-honored, and nowadays quite well-situated, "sociological stratum." He regards himself as "an aristocrat." Really the same point of view as yours and Father's. Yet it became especially clear to me in Haas's case that what is really good in the Western Jews does not pertain at all to aristocracy but to the *homines novi*. The little East European Jew is more of an "aristocrat" than such a Haas. Afterwards, to point this up, I told Badt about an incident that was witnessed, I believe, by Moltke* in the 50's in London. Empress Eugénie was paying a visit to Queen Victoria. A theatrical performance was being given in their honor; they entered the royal box, approached the railing, thanked the audience, and sat down—Victoria without looking around, Eugénie after she had made sure by a glance that there was a chair. Eugénie was probably more of a person than the tedious queen, but only Victoria was a descendant of kings. The East European Jew has his chair behind him and sits down on it without looking around; even the most intellectual of them are more naive than the least intellectual Western Jews, whose life-element is tennis, etc. The Western Jew always looks round before he dares to sit down.

German city children are essentially proletarians without tradition, without substance, and hence without imagination. Here the five-year-olds already live in a context of three thousand years.

June 4, 1918, to his mother:

I REMEMBER, not only from S.M.E.'s [Samuel Meir Ehrenberg's] autobiography, but also from many other sources, reading of the worthlessness of the *heder*. So I was particularly struck by its positive virtues. In its actual effect it corresponds much more to the ideal of an educational institution than any Western European school. The latter turns out fragmented human beings, disoriented and incapable of orientation, through the *heder* a nation constantly rejuvenates itself. Of course this has to do not only with the *heder* and Gymnasium, respectively, but with the whole context of which these are a part; there is after all only one true people, and it is really no people. The other peoples, which are indisputably peoples, are all just setting out on the road toward peoplehood. That is why outbreaks of war and the like are so important to them, since only during those brief periods do they really experience what it is like to be a people.—It is understandable that S. M. Ehrenberg should have disliked the *heder*: for men who were out to have their grandchildren baptized, I daresay it was not the right kind of school.

June 10, 1918, to his mother:

I DON'T seem to be able to get around to writing to Hans [Ehrenberg]; I've put all his letters in order, but I won't be able to make it today either. But it isn't because of Poland and other countries of his ancestors that I don't write to him; the Poland that fails to connect us would be between us also in Heidelberg. The real Poland, as I judge from your letter, lies more between myself and my *Jewish* relatives. Only Jews get nervous when they see Jews. Christians turn spiteful but not nervous. Our craven chiming in with the chorus of obloquy against the Polish Jews is the most shameful of the many shameful things that make up Jewish life in Germany. At least, like the rest of our mean acts, it has done us no good; the great goal hasn't been attained.

Franz's mother took note of his enthusiasm for Polish Jews with apprehension. In her letters she spoke of his "fanaticism for the

*Count Helmuth von Moltke (1800-1891), the famous chief of the Prussian General Staff.

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Jews." She was afraid this experience might influence his postwar professional aims, and that he might, unlike other talented Jewish academicians, decide against becoming a Privatdozent, *or junior lecturer, at a university.*

July 3, 1918, to his mother:

WHAT do you fear on my account from "the Jews"? I think you would really be at a loss to say what damage my "fanatical, enthusiastic," etc. disposition has done me. I think I have always managed my life very well. I think few sons have given as little cause for concern as I.—And yet few have been more surrounded by concern than I. The only abnormal thing in my life has been that I did not become a *Privatdozent* and I refrained precisely in order to avoid external complications. If X. finds the Zionist viewpoint impossible in the civil service, how much more would he find mine. A Zionist would be as possible in the civil service as a Prussian Pole, but I would find myself between two stools, and it is in order to avoid this that I shun a job in a state institution.

At the end of the officers' training course in Rembertow, F. R. was given a furlough (beginning of July). On July 11 he contracted influenza and pneumonia. He was confined in the military hospital in Leipzig until August 1. Soon after this he returned to the Balkan front, where he remained until the German army's collapse in that area.

August 18, 1918, to Mawrik Kahn, a young fellow soldier who had been his neighbor in the Leipzig hospital:

PERSONALLY or factually? "Or"?—When I was born (and even more so, prior to that) I was highly factual; when I die (and even more so thereafter) I hope to be highly personal. So, probably, I find myself between the two extremes today. For these *are* extremes. The world was created as a fact, and it must be redeemed into personality, personality down to the last barber's apprentice, the last waiter, prostitute, and fraternity student (*see* Joel 3:1-2).* Therefore each step, each action—consciously for the knowing, naively for the naive—is a step toward the personalization of the factual, the humanization of "things." Also a road for each individual from his birth (which is very little "his") to his (truly his) death. And because this is so, no other road is valid, no side road, nor the tempting path that by-passes things; the road to our personality must lead through all of *factuality*, through the whole object-world that has been given us with our birth, our body, our time, and our world.

*"And it shall come to pass afterward, that I will pour out my spirit upon all flesh. . . . And also upon the servants and upon the handmaids. . . ."

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ON THE HORIZON

A CITIZEN OF FRANCE

(To Hear Him Tell It)

A. A. DAVIDSON

WHISKEY? No, don't try the whiskey here. This is just a small place, there is seldom anyone comes here who would want a good whiskey. A cognac, perhaps. No? Well, I must think. I am sure you have had Calvados: that is the first thing an American does in France: he goes to a bar and orders Calvados. And always he is disappointed, but always. . . . Ah. I know. Try an *anise pure*. All right? *Deux*, Louis. You see, they know me here. Everyone in Marseilles knows Georgie. And in Nice and Cannes and Antibes. Well, to your good health.

How do you like it? Not bad, is it? No, no, I will pay. Please, no argument. I am always glad to meet an American, and my brother here tells me that you have been very kind.

Well, yes, I like him, too: he is not very clever, but he has a good heart. I am the clever one in the family. I don't boast, it is so. We were seven children, and I am the one who supports the family. The only one who has ever made money. Me, Georgie. Every week I send money, not as much as I wish, because I have now a wife and a little boy of my own. Besides, I am saving money. I save money in American dollars. I am a citizen of France, but there is no money like the American money. Now, how is that, the French are so careful and meager with spending and saving, and the money is worth so little—and the Americans are always making the grand gestures and spending much, and their money is stable? Curious.

Sometimes I cannot believe it is me who has this good suit and shoes and hat, this good apartment and business. I have to take out my passport and reassure myself. Georges Ben Shem Tob. It is really me. Maybe my brother told you something, how we lived in Morocco?—You understand his French?—The nine of us lived in one room where the only running water was what dripped from the walls. My father was paralyzed and couldn't work, so it was very hard. We lived like the poorest Arabs. We would starve only for the Jewish communal office supporting us. Each week they gave us flour and oil and two of those old, big, round silver coins—what are they called?—I forget. Never mind. I have been away a long time. In fact, I have not been back in twenty years. This brother here was a baby when I left. He's a big baby now, what do you say? He can take care of himself, yes; but, ah, all the time in fights. I am glad that he is going now to Palestine.

Excuse me, Israel. Eress Israel, I know that. You must excuse me, I am very ignorant. I have never gone to school, only to the *heder* when I was a boy; and to read Hebrew I have forgotten, and to read the Christian languages I haven't learned. Anyway, I am glad that we can go now to our own country. Of course, I am a citizen of France, and it's all right for me, but those others in Morocco—bad, very bad. Because, you know, the people of French Morocco are not by right citizens of France. No. Spanish Morocco? Well—that's right, yes. Franco has

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SINCE the first appearance of his work in COMMENTARY two years ago, A. A. DAVIDSON has been a frequent contributor, most recently with "The Tomb of Jethro" in our November 1952 issue. Mr. Davidson was born in Yonkers, New York, in 1923. He lived for several years in Israel at various kibbutzim, and has also spent some time in France and in Morocco.

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said that the Jews of the old Spanish blood in other countries can become citizens of Spain by just making the oath; I remember when he did that. It was like a bomb to the Moors, a slap in their face. A curious man.

Listen, I'm going to tell you something. You know what's the first thing an Arab does if he doesn't have to spend all his money? He buys his wife a golden bracelet. And the last thing he sells, when he needs money, is that golden bracelet. That's his bank account, on his wife's arm.

Another one? Please, it's nothing. I am very happy. The Americans have always been good for me. I did much business with the Americans; we trust one another. Anything an American wants, I always help him to get it. I have letters—I'll show you. . . . You see? You know Mr. Hopkins from Detroit? I think he must be a very important man there. Admiral Coffey, you know Admiral Coffey? A very gracious man.

To your good health. To Eress Israel.

So . . . THE golden bracelets. Well, what happens now? Who does the Arab buy it from, this bracelet? The Jewish goldsmith. And where does he sell it? Also the Jewish goldsmith. So now I tell you something. The Arabs are not buying bracelets now: they are selling. And why? Only for one thing, to buy rifles. The Arabs in the East do not gain the victory in Israel, the Arabs here are furious. They want the French to go and the Spanish to go. And the old leader, Abd el Krim, he is escaped, you know; he's in Egypt. And the Grand Mufti, he is in Egypt, too. *La-la!* Trouble, trouble. And they do not want to let go the Jews. In this case the French are not at fault, they cannot show favor to the Jews openly, because for every Jew in the French colonies, there are ten—twenty—Moslems, maybe more. And if a Jew in Morocco goes for his passport, who is the clerk? An Arab. He puts away the passport somewhere, and what can be done? Nothing. That's why the Jews must go away at night in the aeroplanes. And in the aeroplanes you can take but a little, and so only some can go.

No, I tell you, only one thing. Someday—maybe not now or tomorrow—but someday—the President of Israel must send to the King, the Sultan, and say to him like this: "See, you are a ruler and I am a ruler, yes? Let us make an agreement. Let go the Jews, like the King of Yemen did. How much do you want?" That's the way to do it. Because it is unpossible—you say "unpossible"? Oh, *im*possible, thank you—it is impossible for the Jews to go on like this. If one has any tiny disagreement with an Arab, quick goes the Arab to the police, to the court—and who is the judge? another Arab—and he says, "This Jew said: '——— the Sultan!'" Right away they send him to the prison.

Do you know why I save my money? This one here, my brother, even, doesn't know, but I'll tell you. I'm going to buy a car and take it over to Morocco and act like a rich man. I will say that I want to bring my mother and my brothers and sisters—my father is dead—back to France for a visit. Oh, only for a visit. What can they do? I am a citizen of France. The Arabs won't remember me when I was a child, a dirty little child there, before I ran away. They won't dare to put their hands on my head. You know what I mean? No, you don't know. See, the Arabs believe that if one of them can put his hands on a Jew's head the first thing in the day, all that day he has good luck. So one morning, very early, I was helping my father back from the synagogue, because he had a paralysis and it was very hard for him to walk. And an Arab, a drunken Arab—or maybe he'd been smoking *teef*—came into the street, and he came over to my father. He brought down his hand on my father's head with all his might, and he yelled, "*Ya Yahood!* My hand on your head!" And my father fell down, and the Arab was so drunk, he fell down, too, and they lay in the street.

When I saw my poor father lying there, trembling, I became like a crazy person. I took out my little knife and I began to stab this Arab, and crying and cursing him. Many times since then I try to think: did I stab him twenty-seven times or thirty-seven times? No use. I don't remember. But I was just a small boy. How did I get the courage? And I even dragged and tumbled the Arab into an alley. This brother here says that I even got my poor father home, too, but I don't remember. Only that I was afraid and ran away. It was a great *scandale*, but they never found out who did it. And I never went back.

But now I'm a citizen of France and I don't care.

To your health. To Eress Israel.

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THE STUDY OF MAN

HOW TO BE A PARENT—AND STAY SANE

According to 26 Child-Rearing Authorities

J. GLENN GRAY

RESPONSIBLE philosophies of history have declared that preoccupation with the training of the young may well be the most accurate index of a nation's level of civilization. By that token, the existence of a vast and growing library in America on the care, indoctrination, and education of the young, in which every year of pre-adult life has been examined with loving and exacting attention, may be taken as eloquent testimony to the rising state of our culture, however complex and difficult a task it would seem to make parenthood today, as compared to an earlier day.

A significant addition to this library for present-day enlightened parents—perhaps we should say professional parents—is a recent volume prepared by the staff of the Child Study Association of America and edited by Sidonie Matsner Gruenberg, *Our Children Today* (Viking Press, 366 pp. $3.95), which presents a symposium of twenty-six authorities in the child-raising field.

It is probably wise to state at the outset that this book report makes no claim to be that of an authority appraising the work of twenty-six other authorities. Instead, this writer is a teacher dealing with what college people are pleased to call young adults away from home, and in his own domicile he helps with two little girls whose behavior frequently surpasses his comprehension. Hence his equipment for this task is, at best, what psychologists call a "motivated interest" in the subject and a close perusal of the expert opinions in *Our Children Today,* and, at worst, a penchant for piecing out his ignorance with strong opinions, doubtless no better grounded than most other people's opinions.

THOSE who are confident that they live in a golden age as regards the care and understanding of children will be pleased with the essays of Dorothy Canfield Fisher and Pearl Buck, whose contributions open and close this volume. Mrs. Fisher contrasts the methods of child care she remembers as a young mother with those recommended today and finds our advance is little short of miraculous. Pearl Buck, great optimist that she is, entitles her essay "At Home in the World," and boldly affirms that "the realities of life are not sad or dreary. Life is good to the very last drop, and evil and sorrow and grief are part of the whole." She feels that the problems of race, of equality between the sexes, and of war are the great challenges today, but holds that they can be conquered, provided our homes do not become places of refuge from these problems instead of the arena where the battle can be joined. "Let the life of the world stream through our homes and through us all, men and women who have children and teach children."

But these are the affirmations of an older

A CERTAIN calm seems to have descended recently on one of the most agitated frontiers of the social and psychological sciences—that of child-raising. The voices advocating extreme positions are stilled, and a note of moderate "common sense" prevails—or at any rate, only minor skirmishes are now reported on the battlefields. J. GLENN GRAY, a teacher of philosophy at Colorado College who has written a number of articles for COMMENTARY on education, here reviews a recent joint work combining contributions from the leading authorities in the field, and sketches the contour of the new solid land that seems to be emerging from the troubled waters.

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generation and so possibly it is the part of wisdom to be cautious about accepting them at face value. Are not these women privileged to view the prospect from too far above the battle, seeing their children's children through the rosy haze not uncommon to grandparents? Be that as it may, the younger experts seem considerably less sanguine. Sidonie Gruenberg and Leona Baumgarten lead off for them with some sobering statistics and general analysis about family life and the situation of children in the United States. Thus, we learn that some four million of our youngsters live in broken homes, and two million more in institutions, with relatives, or with foster parents. There has been a 50 per cent increase from 1938 to 1948 in the number of children born out of wedlock. People marry younger today than ever before and mothers with less schooling bear the majority of the children. "One-half of the children under eighteen live in about one-sixth of the families, and these are the families with three or more children. In 1948, 47 out of 100 children were in families with incomes of less than three thousand dollars per year." After this, one begins to see the danger of drawing conclusions from the upper middle class alone.

We are told that our children have never been so healthy as today. But to offset this, accidents have become the leading cause of death among persons who have not reached twenty years of age. While we have better schooling than ever before, over three million children of school age are still out of school. In nearly every community, school buildings are bursting at the seams and this situation is certain to get worse before it gets better. Our experts estimate that by 1960 a quarter of a million more teachers than we now have should be employed, but nothing like that number is in sight, and with teacher salaries what they are, there is next to no chance of getting them.

Nor is this all. All of us know that postwar United States is a land where people are on the move. In a representative year, 1948, the homes of over eight million children changed. Even when we learn this, few of us have enough imagination to realize what it means in terms of painful adjustments for parents and children. Small wonder that we find several of our younger authorities tempted to compare unfavorably the rootlessness of modern living with the "old village life" (but how many knew it?) in which our parents and grandparents felt sure they belonged. They contrast the restlessness and the loneliness of young mothers in cramped apartments with the old days of rambling houses, without the gadgets but with the maiden aunt, the grandmother, and the maid of all work (and again, how many were so fortunate?). They see the small family of today as a dubious gain over the large, unplanned families of old, where there was plenty of margin for error, often beneficent in the long run.

"Today's cozy family finds it hard to welcome the odd child, or the child who is different, who does not conform. Mothers and fathers hover protectively over the child, but at the same time they may push him to do his utmost according to their notions of what a child should do, without considering his own particular capacities, limitations, and needs." Unlike a previous generation we do more *for* our children, but we also demand everything possible *from* them in return.

Add to all this the relative disappearance of the stable moral and religious values on which our forefathers depended so confidently, and again the threat of another war and the confusion of this period of contending states, and we see how natural is the nostalgia for the past to which even these trained "scientists" fall prey.

THREE quite new themes—when seen in the perspective of fifty years—are evident in this symposium: the credo of total parental responsiblity, the modern concept of discipline, and the idea of maturity.

Perhaps foremost of these three is the immense role given to parents today. We parents are conceived to be responsible for nearly everything that happens to our children, from the time they are born till they achieve, or fail to achieve, that difficult goal called maturity. Some of the experts seem to vie with each other in stating this new faith. "More and more is expected of parents today," Lawrence Frank writes. "Emotionally stable, loving parents are the first requisite for the healthy personality," another puts it. "Of all the important, fateful, and determining influences of childhood the relationship of a child with his parents comes first," writes a third. "This is his very lifeline, through which he establishes his relationships, for better or for worse, with the rest of the world. . . . Few parents are wise enough to meet [the] rapid and necessary maneuvers of their children."

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Whether our authorities deal with the infant, the nursery school tot, the school child, the pre-adolescent, the adolescent and the young adult—at every stage parents hold the center of attention. We are informed that breast feeding for the infant is considered more desirable now, not because the milk is better for him but because it "brings the baby closer to his mother" and is the first stage in his "socialization." Helen Ross expresses it thus: "It is a long way from a baby's first turning his head toward his friendly mother to the winning of a Nobel Peace Prize, but the direction of interest in other people which ends in altruistic achievement begins with the child's first anticipation of kindness from the world."

Anna Freud relates experiences with wartime nurseries and crèches in Britain to demonstrate the thesis that however well and scientifically children are treated in such places (and their physical needs were infinitely better provided for there than at home) prolonged separation from parents resulted in retarded development of their mental and emotional lives. The children, it is said, could not progress from self-love and self-centeredness to the love of others, because they lacked the necessary desire to please their mothers and fathers. Such children's communities may produce children who learn modes of attack, defense, and escape, the habits of yielding to superior strength or avoiding unpleasantness by devices of sharing. "But there is a great difference between such superficial, strictly utilitarian attitudes, which are produced by the need of the moment, and the laborious, deep-reaching processes of character formation, which produce qualities such as courage, generosity, self-sacrifice, pity, shame. The latter are rooted exclusively in the love for the parents and in the child's identification with them."

And so it goes throughout. When we deal with disturbed young businessmen, psychiatrist Carl Binger repeats the Freudian conviction that "the kernel of neurosis lies in the conflict between the child and his parent and the failure of the child to solve this conflict satisfactorily." When we read about sex education, Katherine Hyam warns us that the child's earliest satisfactions are closely tied up with later sexual pleasure and "a child's relationship with his parents during this period will deeply affect the pattern of his mature love life." If we are dealing with spiritual values and the failure of religious instruction today, we have Arthur Swift Jr. to remind us that the solution must be found within the family, for "religion as the child experiences it is a social phenomenon, a product primarily of the family group."

What are we to say of this emphasis, we non-expert parents, except to register the fact that it is all very frightening? I think it can be fairly said to be extreme. The doctrine of total parental responsibility stems from the idea, so deeply embedded in our culture, that the human being is infinitely plastic and manipulable, that our freedom of will is such that we can make of ourselves or each other what we want to make. Many anthropologists have bolstered this favorite American faith with sweeping assertions of the unimportance of natural endowment in comparison with cultural inheritance.

It is encouraging to report that there are among our authorities one or two swimming against the current. Anna W. M. Wolf, in a spirited essay titled "Shall We Blame the Parents?" labels the doctrine of total parental responsibility a half-truth. How can parents really measure up to current notions of what they ought to be? she asks. They are required not only to *understand* their children, according to the latest findings, not only to *love* their children, but also to *enjoy* them, something every honest parent will confess is not eternally possible for mere human beings, given the best will in the world, working time and a half overtime. She points out the obvious fact that no parents could wholly control the environment their children move around in, even if they had no other duties than to bring them up. Parents are, after all, people (or are they?); she even suggests that they ought to recognize their limitations—for the good of their offspring, if for no other reason. (We can think of at least one other reason.) To her mind, such parents are likely to have more respect and tolerance for the child when he begins to show the difficulties of growing up.

But it is Alan Gregg, vice-president of the Rockefeller Foundation, who opens the biggest attack on the credo. He traces it to the neglect of heredity in our current thinking with the consequent overemphasis on environment. Dr. Gregg is very sure that hereditary traits play a vast role in the growth and maturing of our youngsters. The science of heredity is, of course, still in its infancy, and he is aware that hereditary capacities will not become actualities

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if we do not provide a good environment for a child, but there is no good scientific reason for underplaying the importance of the raw material. Like Anna Wolf, he is troubled by the number of parents who feel fantastic degrees of guilt when their children do not turn out well. "The child is thus doomed to be brought up in the gloomy atmosphere of parental disappointment or defeat, from which he can escape, if at all, by pitying himself as the irresponsible product of his parents' monumental ineptitude. His failures and successes are explained for him in advance and forever as being not his but his parents', and the general attitude of guilt, defeatism, and over-all failure spreads out like a pall of smoke over the whole idea of raising a family, and thus pollutes an atmosphere which could have been sunny and honest and humble in the face of the whole truth."

Perhaps still more fateful than this, is the tendency to overload our children with stimuli to ply them with sensations and demands, thus giving them no time to organize and integrate experience, which is a *sine qua non* for the formation of character. The people who believe environment to be everything, Gregg writes, "do not seem to know that it takes time for a child to respond fully and completely to a powerful impression. They misrepresent or they misinterpret that beautiful stillness of children when vivid impressions are being organized into happy memories or creative responses. They misinterpret this stillness, thinking that nothing has registered, and so another stimulus must be forced onto the child's mind, which they think is unoccupied or unimpressed because he is quiet."

Are many of us not guilty, in our anxious insistence on completely "creating" our children, of depriving them of the time and solitude necessary for discovering whatever they have brought with them?

ON THAT hotly disputed issue of a couple of decades ago over discipline, when "permissiveness" warred with the traditional notion of parental authority, our authors, with surprising unanimity, have taken a middle course. Aristotle's golden mean was never more in evidence. None of them wants to go back to the old dispensation of "spare the rod and spoil the child." On the other hand, several have only harsh words for the more recent doctrine of unlimited freedom, which they trace to an unwarranted concern for, and fear of, frustrations and inhibitions which certain schools of psychology popularized.

We are in effect discovering a new conception of the meaning of discipline. In etymology, of course, the word has no implication of either punishment or reward and our tendency to think in terms of the polar extremes of indulgence and authoritarian control is unfortunate. Almost everyone knows upon reflection that the purpose of all discipline is *self*-control. Many of the opinions expressed in *Our Children Today* convince me that we are at last achieving some sanity on how to manage this. No longer are we asked to believe, for example, that character is fully formed during the first months or years of childhood. It is not molded by any one experience and there can be unlearning as well as relearning. Nor is there any one method of discipline which works for all children—no panaceas, no scientific formulas. After all the skirmishing, we come upon this conclusion: consistency in the control and direction of children is the only constant. If consistency of treatment be combined with a reasonable capacity for giving and receiving love on the part of the parents, almost any system seems to work as well as any other.

One great gain is the growing recognition that children need limits and definite rules. However strongly our children protest against them, we are assured that in the long run they are likely to be lost without them. "In an atmosphere that encourages free expression of *feeling*," Anna Wolf writes, "parents must at times act decisively and impose controls when a child's behavior goes beyond the limits of what others find comfortable or tolerable. They need to remain unintimidated by the child's protests, realizing that his feeling of security will be greater when he finds his parents on the side of his own conscience. But parents also need the honesty to recognize when a child's hostility may be partly or even wholly the result of their own mismanagement."

Even our adolescents, the experts agree with singular unanimity, need their parents to exercise control over them. When a youth is in internal conflict between the impulse to emancipate himself and at the same time to be secure and protected, parents are enjoined to insist upon controls and rules. They cannot hope to be right, in the adolescent's eyes, at least for long, but that is because he himself is a web of contradictions. To be sure, the wise parent

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will keep a sensitive balance between "too great strictness on the one hand and a leniency on the other that leaves a child exposed to all his instinctual drives."

Perhaps all this can be summed up by the remark that "children need their parents not as dictators or playmates but as friendly leaders who can help them on their way." In this observation we have the true Hegelian synthesis of authoritarian control on the one hand and permissiveness on the other.

PERVASIVE in American educational discussion in recent years is concern about the meaning of maturity. We are understandably sensitive on this score, since Europeans and Asians persist in calling us either children or adolescents. As a nation thrust into a position of dominance in world affairs, we can no longer afford such estimations, deserved or undeserved. Hence the widespread uneasiness about this quality alleged to be lacking in our private and public life.

How define maturity and, once defined, how help our children attain it? Our experts are manifestly much further along toward an adequate vision of what it means to be mature than they are toward charting any course. Indeed, as one puts it, no one yet knows why one man remains so tied to his mother's apron strings that he becomes a hopeless homosexual and neurotic, while another sublimates these urges to become a professor of aesthetics or an artist. Or why one man remains a sadistic brute while another's similar impulses by some alchemy get refined sufficiently to make him a skillful surgeon.

One thing is certain, however. We are rapidly overcoming the assumption of a few years back that maturity can be understood in terms of simple "adjustment" to environment. Whatever the demands of the present social scene toward conformity or toward "other-directedness" in thought and action, our authorities are sure that maturity is not to be found that way. In fact, it is becoming clear to many that we cannot arrive at an adequate idea of maturity through the social sciences construed in any narrow sense, because maturity involves judgments of value. It follows that there is no simple definition which will achieve common acceptance. On the contrary, maturity is relative to the individual and his society and conceived to be consequent upon the experience and reflection any individual has undergone. In the developing youngster, one measures "age-adequate maturity," using a flexible standard appropriate to his time and place.

The present trend is to think of maturity as an inner growth, not a process of external adjustment. Maturity involves "socialization" of the individual, to be sure, but to be merely gregarious is not to be socialized. Only as one has developed a distinctive individuality is maturity possible. Carl Binger conceives of the mature person as one who has enough self-knowledge "to learn from the past, not only to suffer from it." Those who are mature "grow to accept and respect their own uniqueness and that of others; they develop the capacity to tolerate frustration and disappointments; and they find pleasure and satisfaction in living and working and in their association with other people."

Applied to the young, this means a gradual and organic development from the status of emotional dependence to that of independence. "A time arrives in the growth of the individual when, ideally speaking, his emotional development is in step with his physical; then he is able to give as well as to receive love and to express his love by joyful union with the opposite sex. As he becomes physically capable of reproducing his kind, he should gradually become emotionally capable of caring for them —or at least of taking his place with the givers, the providers, and the protectors, as opposed to the graspers, the demanders, and the receivers."

BUT when we shift from this general agreement on the meaning of maturity to general directions on how to help our children attain it, the symposiasts are all but overwhelmed by the difficulties, and tend to fall back on the favorite credo of total parental responsibility. Again and again we are told that mature parents alone can really produce mature young adults. How to transform our young graspers, demanders, and receivers into givers, providers, and protectors is still tied up with the mysteries of sublimation, Oedipus complexes, and regressive tendencies—and turns out to be just about impossible.

Lawrence Kubie, perhaps the most orthodox Freudian of the group, carries this line furthest. "It seems as though," he writes, "we never completely rid ourselves of the effects of those many years in which we are small and weak in

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a world of overpowering adults. It leaves us deeply if unconsciously afraid to grow up, because to grow up brings us into dangerous rivalry with the adult giants around us. . . . Throughout our adult lives we have some difficulty in accepting our maturity and remain caught in childhood. As a result, from childhood there echoes in us a deeply buried fury against the adults around us, as though each of us feels doomed to remain a child to the end."

Need we accept this thesis? Surely it is not a universal experience of children to feel weak, vulnerable, and dependent in an adult world. Is it not at least equally true that children live in their own world, and adults are tolerated, rejected, or admired not as overpowering giants but, in the unthinking way of childhood, as simply being there, a part of the world as it is?

This writer prefers to think that the difficulty of achieving maturity is bound up more closely with our failure to leave our children alone, the point so sharply raised by Alan Gregg: "In my opinion the fact that so many creative men and women tell us that in their childhood they had much illness or loneliness or lots of time to swing on the gate is more significant than we realize. Illness and freedom from overstimulation give a child time to absorb his impressions, to integrate and organize them, and finally to create from his whole being a response."

Such a conclusion takes us, at least temporarily, beyond the bounds of science. It says simply that maturity is a mystery and we know so little about it that all we can be is sympathetic observers, waiting for this human *summum bonum* to appear from the depths each child brings with him. Such, at any rate, is the conclusion that seems to me most in harmony with what we know.

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LETTERS FROM READERS

On "Red Channels"

To the Editor of Commentary:

As editor of *Counterattack*, which published *Red Channels* and is in the center of the controversy over "blacklisting" in radio and TV, I want to congratulate Commentary for publishing Louis Berg's article, "How End the Panic in Radio-TV?" (October 1952).

In contrast with most articles written on the subject to date, Mr. Berg's account was, on the whole, eminently fair and well-balanced. It was refreshing in that it took sensible recognition of Communist infiltration of the broadcasting industry and made a reasonable analysis of the solution of the problem.

There was, however, one note that disturbed me in Mr. Berg's article. It began with the subtitle: "The *Demagogic* Half-Truth vs. the 'Liberal' Half-Lie." (Emphasis in this and following quotations is my own.) It occurred again in the racketeer allegory of the situation (page 319) in which Merle Miller is compared to the newspaper editor who "will inquire only into the irresponsibility of the *hotheads*." And, again, on page 323 Mr. Berg wrote:

"Small wonder, then, that the effective fight against Communist influence has been conducted by people *too far to the right*, by *unscrupulous demagogues* whose methods we rightly deplore and whose weapons may prove to be double-edged."

Although editor of *Counterattack*, I had nothing to do with the preparation of *Red Channels*, being busy with other duties at the time it was compiled. But I do know that the book was prepared honestly and not in a demagogic way. I believe Mr. Berg's accusations of demagoguery are unjust as applied to the publishers of *Red Channels* and *Counterattack* and to many others who have been active in the campaign to expose and eliminate Communist influence in broadcasting and other fields.

Mr. Berg cited no facts in his article to justify his charges of demagoguery and reaction ("too far to the right"). I think it is only fair that he should be asked to do so.

Francis J. McNamara
Editor

Counterattack
New York City

Mr. Berg Replies

To the Editor of Commentary:

Mr. McNamara has written courteously to protest my references to *Red Channels*, for the publication of which he assumes responsibility though, as he says, he had nothing to do with its preparation.

My article was written in review of Mr. Merle Miller's book *The Judges and the Judged*, and the criticism of *Red Channels* was of necessity incidental to it. It is confined, in point of fact, to a single paragraph, as follows:

". . . Mr. Miller's book would seem to be a sort of *Red Channels* in reverse. It opposes guilt by association with innocence by association, refusing to admit evidence pointing to guilt as *Red Channels* refuses to admit evidence pointing to innocence. Neither tells the whole story; Mr. Miller's book is no more a fair report on the blacklist in radio and television than *Red Channels* is a proper report on Communist influence in the industry."

Mr. McNamara, however, assumes that beyond this I meant to include *Red Channels* in my general strictures against the demagogic half-truth of the right as opposed to the half-lie of the so-called liberal left. I have no desire to reflect on his own good purpose, nor on the purpose of the weekly he edits, *Counterattack*, which has for so long a time conducted with the utmost vigor the necessary fight against Communist influence in the movie industry and elsewhere. Nor should the *Red Channels* listing, but the people who acted upon it, be blamed for any blacklisting that may exist in radio-TV. But it was an error in judgment, even as part of the fight against Communism, to permit so poorly conceived a pamphlet as *Red Channels* to be published.

Mr. McNamara demands a bill of particulars. The half-truth of *Red Channels* is inherent in its very composition and form. Not what is said, but what is left unsaid, makes for the "half-truth." Even were the information in *Red Channels* as painstakingly and as conscientiously gathered as its sponsors claim for it, it would still savor of irresponsibility, would be at best a dangerous over-simplification.

The introduction to *Red Channels* admits that some, perhaps many, of the listees may

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have been innocently involved in Communist front organizations. But no distinction is made in the text between the presumedly innocent and the presumedly guilty. Some differentiation surely was called for and possible. A few of the listees may have become involved during that infatuated period when the whole nation was Russia's ally, and quit when the war was over and Russia began to move against her erstwhile associates. A lady who joined the League of Women Shoppers may actually have been fooled by the innocence of the title. But the same could hardly be said of a writer who contributed to *Masses and Mainstream*, an obviously Communist publication, and indeed the literary organ of the Communist party. It was the height of irresponsibility to lump them all together without comment.

By way of example—the listing of Henry Morgan. Mr. Morgan is not a Communist, to my knowledge, but an anti-Communist. His involvement was insignificant, and when discovered by him, indignantly repudiated. These are facts available to anyone who bothers to read newspapers. Under no circumstances whatsoever can I regard him then as an example of Communist influence in radio and TV. How deeply he was injured by the listing is a moot question. He has been in radio and TV since, though rarely, and it may be that the medium has been cruel to him in the simplest of fashions, as it has exhausted and cast aside so many talented people not politically involved. But he has a *prima facie* case; he was listed. Why was he listed in the first place?

Or Ireene Wicker, the Singing Lady. The listing in *Red Channels* contains one—and only one—reference to her; she is supposed to have sung at a rally for Benjamin Davis, a Communist candidate for political office. The authority cited is the *Daily Worker*, which has been known to lie in such matters. In any event, Miss Wicker has denied singing at this rally.

I have no way of ascertaining Miss Wicker's political or economic views, past or present. But is not the listing—with no record before or after—too trivial for words? Does this not come close to being sheer nonsense, if represented as an example of the dangers of Communist infiltration of radio and TV?

Contrariwise, the name of Sam Moore, past president of the Radio Writers Guild, and still influential in its councils, is nowhere mentioned in *Red Channels*. Mr. Moore was named before a Senatorial investigating body as a Communist party member, and when pressed for a denial took refuge in his constitutional right not to incriminate himself. What kind of report on Communist influence is it that catches the minnows and permits the whale to escape?

Not a word in *Red Channels*, by the way, on Communist influence in the industry's trade unions, where surely the Reds can do a great deal of harm—much more than in singing lullabies on the air.

If I had my review of Mr. Miller's book to write over again, in the light of added knowledge and new developments, there are some things in it I would change—chiefly in matters of emphasis. Since it was written, the situation in radio and TV appears to have got worse. People who were still working then—contrary to Mr. Miller's book—are not working now. There are evidences that the panic is spreading.

The fact that I blame the "liberals" for this worsening of the situation—and I do most vigorously, since I find them still more interested in making capital of the fact that injustice exists than in seeking remedial action—does not alter the fact that some people have been injured by their loose listing in *Red Channels*, nor does it absolve that publication from some responsibility toward them.

The one thing I would not change in my article is the paragraph cited earlier—neither in its criticism of Merle Miller's book, nor of *Red Channels*.

Louis Berg

New York City

Church and State

To the Editor of Commentary:

I am most grateful to Commentary for the printing of Will Herberg's clear, impartial, and authoritative article. As the son and grandson of Protestant clergymen, this problem is one that has long worried me. I was delighted to see that *Life* used the article as the subject for an editorial. While my own views differ somewhat from Mr. Herberg's, the article can, I think, only do good, and Commentary is to be congratulated for publishing it.

Donald Egbert

Princeton University
Princeton, New Jersey

To the Editor of Commentary:

There are several objections to the introduction of religious instruction into the public school curriculum.

The teaching of doctrinaire religion, especially in the primary grades, is antithetical to the concept of the modern school, whose basic purpose is to guide its pupils in achieving the qualities of independent reasoning, in that religion necessarily demands the acceptance of dogmatic and mystically derived truths.

By this it must not be misunderstood that the modern school is now, or was ever, intended to

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become an atheistic institution. Mr. Herberg and others who are apparently otherwise persuaded, would do well to understand the difference between the prefixes "non" and "un," especially when these syllables are placed before the word "religious." Further, the "liberal" welcomes the studying of the great texts of the Judeo-Christian religions in the public schools. He urges his children to thoroughly read and understand them. He deems that his children will in that manner achieve a higher and finer degree of faith and morality, than by chanting and memorizing prayers with his "co-religionists" in specially allocated classrooms of the public school.

Mr. Herberg tends toward naivety if he thinks the opposition to the furnishing of bus service to Roman Catholic schools is petty. If such "auxiliary aids" are condoned, there seems to be no consistent reason why eventually the public treasury should not pay for the very "seat in a Catholic school for every Catholic child." . . .

HERBERT H. NEUER

Tomah, Wisconsin

TO THE EDITOR OF COMMENTARY:

As members of staff daily concerned with problems arising in the church-state area, we would want readers of COMMENTARY to be aware of the abyss between the views in Mr. Herberg's "The Sectarian Conflict Over Church and State" and the policies consistently followed by the American Jewish Committee.

We recognize that Mr. Herberg's purpose was to introduce a modicum of rationality into the current conflict over the doctrine of separation of church and state. We believe he failed because many of his postulates are faulty. For example, it would appear that basic to Mr. Herberg's concept of separation is his conviction that religion is a public concern. Most people would dispute this, holding with Jefferson that "I am a sect by myself," and with the long and successful struggle of many of the others among the nation's founders to establish that religion is a matter between man and his conscience. James Madison's famous Remonstrance against religious assessments (1785) opposed every form and degree of official relation between religion and civil authority because: "The religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate."

However, even if Mr. Herberg's thesis were justified, namely, that religion is a public concern, there is much in the relevant history of the First Amendment that he has overlooked. Mr. Justice Black's opinion in the *Zorach* released-time case reviews some of that history:

"It was precisely because Eighteenth Century Americans were a religious people divided into many fighting sects that we were given the constitutional mandate to keep church and state completely separate. Colonial history had already shown that, here as elsewhere, zealous sectarians entrusted with governmental power to further their causes, would sometimes torture, maim and kill those they branded 'heretics,' 'atheists' or 'agnostics.' The First Amendment was therefore to insure that no one powerful sect or combination of sects could use political or governmental power to punish dissenters whom they could not convert to their faith. Now as then, it is only by wholly isolating the state from the religious sphere and compelling it to be completely neutral, that the freedom of each and every denomination and of all nonbelievers can be maintained."

Having thus rested briefly on one shaky premise, Mr. Herberg next chooses a straw-man definition of "secularism" which happens to suit his purpose. Out of the (literally) dozens of meanings attributed to this much-abused word he might have selected one not quite so partisan: "Belonging to the state as distinguished from the church; non-ecclesiastical; civil" (*Webster's New International Dictionary*, 2d Edition, Unabridged). Had he tried this definition out for size he might have arrived at altogether different conclusions. It might then have been comprehensible to him why the courts, the schools, and other public institutions ought to be secular. He might have understood why government must be neutral in matters of religion. It would have been understandable that, because an institution is secular, it is not necessarily anti-religious. He could have seen clearly why there is insistence in Jewish circles that the furtherance of religion is the obligation of the church, the synagogue, and the home, and not of the public schools. Here, incidentally, and contrary to the impression created by Mr. Herberg, with rare exception there is unanimity among all branches of Judaism, Orthodox, Conservative, and Reform. Referring to the attacks on secularism, Dr. Winfred E. Garrison, Literary Editor of the *Christian Century*, once wrote: "In some circles the indiscriminate damning of everything that can be called secular is deemed a mark of piety."

To be sure, Mr. Herberg concedes that "The practical difficulties in the way of any acceptable program of religion in the schools are quite insuperable"; that many have "very properly criticized as impracticable and ineffective" the "plans and programs" to which he himself refers; and, again, that he has "yet to see a plan [for teaching religion in the public schools] that seems [to him] wise or practicable." What,

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then, are the critics of these "plans and programs" to do? "Don't be negative; don't reject out of hand all solutions that are offered" is the sum of his advice. But where does he get the notion that this is the case? On the contrary, the very opposite is true. Representatives of religious groups have often met across the conference table and, hopefully, will continue to do so, in an effort to seek solutions to these very complex problems.

But Mr. Herberg's hinted "solution" is not one of these. Impartial government aid must inevitably lead to a huge expansion of the church schools and the resultant weakening or even the disintegration of the already undernourished public school. Nor should those who recognize the inherent danger in Mr. Herberg's thesis be admonished to maintain a respectful silence in the face of concerted efforts to inject religious subject matter into the secular curriculum. Rather, we have a moral duty to point up the indiscriminate tampering with the secular program, for here is the blueprint for the return of the religious conflicts which pockmarked public education before the dawn of the secular school of today.

PHILIP JACOBSON
MORRIS N. KERTZER
E. J. LUKAS
THEODORE LESKES

American Jewish Committee
New York City

TO THE EDITOR OF COMMENTARY:

I read with considerable interest and enthusiasm Will Herberg's splendid, forthright article on the problems of separation of church and state. . . .

No doubt his article will antagonize many who pride themselves on standing in the forefront of "liberalism." It is important for you to know that for all those who react antagonistically to this article, there are many others of us who have been waiting eagerly to find a spokesman who would speak out honestly on the issues at stake, free from any position which smacks of either pro- or anti-Catholicism. Herberg has hit the center and no doubt will be caught in the crossfire—indication of a valid position. . . .

G. W. WEBBER

Union Theological Seminary
New York City

TO THE EDITOR OF COMMENTARY:

I want to congratulate you on the article by Will Herberg in the current issue of COMMENTARY. This seems to me to be one of the best statements that have been made by anyone on the problem of church and state and on the general problem of public education. I think that he has made a great contribution to the thought of Protestants on the subject. I can only speak for them. I know of no better discussion of the Catholic-Protestant conflict in America than this one.

JOHN C. BENNETT

Union Theological Seminary
New York City

TO THE EDITOR OF COMMENTARY:

Will Herberg and COMMENTARY are to be congratulated for the singular service they have rendered to the American public with the publication of "The Sectarian Conflict Over Church and State."

No longer can it be said that the debate on church-state relations lacks a *status questionis*. Mr. Herberg has effectively seen to that. In any future discussion of this thorny subject, we can now expect to be spared the pointless and futile excursions into name-calling and abuse which have characterized past discussions. . . .

(MONSIGNOR) THOMAS J. MCCARTHY

Washington, D.C.

TO THE EDITOR OF COMMENTARY:

I was most pleased to read the article of Mr. Will Herberg. To my mind it is the best analysis of the problem of the relationship between church and state which has appeared. Its excellence stems from the fact that Mr. Herberg avoids the clichés which frequently blur the true issues raised by this problem.

(RABBI) SEYMOUR SIEGEL

Jewish Theological Seminary of America
New York City

TO THE EDITOR OF COMMENTARY:

Did Will Herberg really expect to further "understanding" among religious groups by writing an article which distorts the facts and relies on epithet rather than argument to combat his ideological opponents?

Typical of Mr. Herberg's sleight of hand is the misleading quotation on page 452 attributed to "Jefferson himself." Actually, the quotation was taken from a passage in the minutes of the Board of Visitors of the University of Virginia (of which Jefferson was rector) dated October 7, 1822. As used by Mr. Herberg, the quotation is wrenched out of context to give the impression that Jefferson was advocating "instruction in religious opinion and duties" under public auspices, whereas the truth is that he was opposing that very thing. Following the two sentences which Mr. Herberg quotes, the minutes continue in this vein: "The want of instruction in the various creeds of religious

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faith existing among our citizens presents, therefore, a chasm in a general institution of the useful sciences. But it was thought that this want and the entrustment to each society of instruction in its own doctrine, were evils of less danger than a permission to the public authorities to dictate modes or principles of religious instruction. . . ."

Mr. Herberg betrays a superficial acquaintance with American constitutional history when he expresses doubt that the First Amendment was intended to bar "any and every governmental action extending aid *on an equal basis* to all religious groups." The fact is that the Founding Fathers specifically rejected two alternative drafts of the First Amendment which were proposed. They read as follows: "Congress shall make no law establishing one Religious Sect or Society in preference to another. . . ." and "Congress shall make no law establishing any particular denomination of religion in preference to another. . . ." Instead of these, the Founding Fathers adopted a First Amendment which was directed against *any* kind of religious "establishment," and not merely against the establishment of a single favored sect or church. . . .

Regrettably, Mr. Herberg seems to be unaware that a derogatory label attached to an idea does not constitute a refutation of that idea. "Secularism," "mere ethical culture," "neutralism," "the enfeebling abstractions of 'liberalism' and 'humanism,'" "negativeness and defensiveness," "Blanshardism," and so on—terms used with such relish by Mr. Herberg—contribute nothing to intelligent discussion. . . .

HAD Mr. Herberg dealt with the issues on their merits, he might not have made his ill-considered reference to "the rebuke recently administered by American Jesuits to Cardinal Segura of Seville" as evidence of a "reorientation" allegedly under way in the Roman Catholic Church. Exactly two American Jesuits were involved in this exchange, and the facts would indicate that they were on the *receiving end* of rebukes from Cardinal Segura, a higher-ranking prelate to whom they replied with some restraint, only to be rebuked again in more vehement terms. "It would not be surprising," said Cardinal Segura as he renewed the assault, "if our pastoral letter should have aroused protests on the part of Protestants, but it is certainly strange that an attempt to oppose our said pastoral letter which laid down the doctrine of the church, should appear precisely in a review published by the Jesuit Order in New York. . . .

"The conduct of this Jesuit review is incomprehensible and we have found it necessary to denounce the grave fact that this review should on its own account judge and criticize a pastoral document published in the official ecclesiastical bulletin by a cardinal of the Roman Catholic Church." . . . Of course, such a dispute can be settled only by the Pope—and he has remained silent. There is, in the meantime, not the slightest evidence of "reorientation" within the Roman Church. Cardinal Segura still rides high in "Christian" Spain, and the Church pursues its traditional opportunistic policy in countries like America.

What, finally, are Mr. Herberg's constructive proposals? He has none. "We must rethink the problem of church and state . . ." he says—but he does not indicate how. "On the question of teaching religion in the public schools, I have yet to see a plan that seems to me wise or practicable, and perhaps there is none." But he continues vigorously to apply his epithets to those who have examined the question on its merits, and found that freedom of conscience cannot survive when religious doctrine is given official sanction in public institutions. . . .

STANLEY LICHTENSTEIN

Washington, D.C.

TO THE EDITOR OF COMMENTARY:

Will Herberg's article on church and state in the November issue is one of the most thoughtful pieces on the subject I have ever seen. On a subject seldom considered in an unbiased way, he makes the necessary distinctions, shows himself aware of the complexities, and generally clarifies a confused and emotion-muddled area. Congratulations to you and to him. The piece should be widely known. . . .

HYATT WAGGONER

Kansas City, Mo.

TO THE EDITOR OF COMMENTARY:

Just a note to say how grateful I am to Will Herberg and to COMMENTARY for the excellent and refreshing piece in the current issue. It's rare to find a writer on this subject who can so completely avoid petty partisanship on the one hand and stultifying secularism on the other. And it's equally rare for a periodical to have the courage to present an unpopular point of view on a subject which is so "touchy," to so many parties—including the periodical's own publisher!

(RABBI) HERSHEL MATT

Temple Beth-El
Troy, New York

TO THE EDITOR OF COMMENTARY:

Please accept my very sincere congratulations on Will Herberg's characteristically incisive analysis of "The Sectarian Conflict Over Church

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and State" in the November issue of COMMENTARY. I am not sure that I agree with all of Mr. Herberg's *obiter dicta*, but I cannot help but admire his complete intellectual honesty in presenting the issue as he sees it. Herberg demonstrates in this article, as he had done earlier in *Judaism and Modern Man*, that he is one of the most effective critics of secularism in the United States. More power to him, and renewed congratulations to COMMENTARY for its editorial courage in publishing such a thoroughly honest analysis of a problem which is too often discussed very superficially even by the scholars.

(Rev.) GEORGE G. HIGGINS
National Catholic Welfare Conference
Washington, D.C.

TO THE EDITOR OF COMMENTARY:

Reading Will Herberg, one finds the head moving in hypnotic agreement. . . . I came out of the trance on page 459, where he states flatly that a de-religionized society cannot endure. This is a scandalous assumption!

He then says that secularized man will always return to some idolatrous substitute, whether racial or political, because autonomy is "intolerable." Now this belief may be essential to Mr. Herberg's internal engineering, in which case I can only retire with apologies. But it should be pointed out that it is a belief, and not a statement of fact, and there are many people who hold the opposite belief. I myself believe that until man learns to endure his autonomy, and to live creatively in it, his society will be a series of more or less perilous improvisations tending rather to revert to barbarism than emerge toward anything recognizable as an improvement. I represent a very typical end-product of the dilutional trend in Protestantism, which has so often in this country and England gone through the series starting with fanatical Puritanism, through ever milder sects to rationalist theism and finally vitalist atheism.

According to Mr. Herberg, I and my like are brief aberrant forms of Religious Man. According to ourselves, we are a perfectly viable species which intends not only to endure but if possible to flourish. And we look with some misgivings at the new theological intelligentsia. They are splendid social types, but we have had our troubles with them before. It is becoming noticeably unfashionable to be an atheist. What is unfashionable today may be sinful tomorrow. Which brings up the second point—Mr. Herberg's reverberating maturity.

They do not conceal anything, these new mature thinkers—rather, they admit everything and then "rethink" it. The ferocious past is detachedly exposed and then somehow magically denatured, abolished from reality. Probability becomes a childish error. Mr. Herberg, for instance, is unwilling to believe that a secular society can do without idols because he has never heard of one, but he is perfectly willing to believe that the Catholic Church will not become militant toward unbelievers—apparently on the grounds that it has done little else. *Credo quia absurdum.*

I SYMPATHIZE with Mr. Herberg's desire that the future should be better and different, but let us equate our probability scales. If we dismiss rational utopianism, may we at least recall Renan's warning that there is no such thing as a merciful church, and Hoffer's remark that a sublime religion generates a strong sense of guilt. I do not mean this as referring to Catholicism alone. But Mr. Herberg is unconcerned by Protestantism or neo-paganism or Islam; it is Catholicism which fills him with *furor mediaetatis*—otherwise known as the conviction that One Can Always Negotiate With Them. . . . In his concern for his own religion, he will make common cause against secularization.

Again, I sympathize, but I am afraid that he will end either by inserting himself in the capacity of a lamb between the paws of a lion or by becoming a lion himself. And either way the rest of us would suffer. To put it bluntly, three major proselytizing religions can co-exist in peace only within a largely secular matrix. Theologians may deplore secularism, but if they succeeded in eliminating it there would eventually remain only one theologian.

But I know Mr. Herberg will not be warned. The wisdom and composure with which he views this nursery brawl are too great. . . . Mr. Herberg will move on to an *ur*-reality where better things are true. Splendid! Perhaps he will bring them about. Or again, perhaps he will verify Renan's prediction that socialism, by mediation with Catholicism, will bring a new Middle Ages.

ALICE B. SHELDON
Washington, D.C.

TO THE EDITOR OF COMMENTARY:

This is just a note to say that I read Will Herberg's church and state article in the November COMMENTARY and I think it is absolutely first-rate.

PHILIP L. GRAHAM
Editor
Washington *Post*
Washington, D.C.

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BOOKS IN REVIEW

Saga of the Yemenites

THE MAGIC CARPET. By SHLOMO BARER. Harper. 243 pp. $3.50.

Reviewed by HAL LEHRMAN

SHLOMO BARER'S account of the fabulous transplantation by air of 50,000 Yemenite Jews to Israel in 1949 and 1950—the now famous "Operation Magic Carpet"—has authority and dignity, and is excellently written. In time it may be supplanted as a primary historical source by later accounts of others officially closer to the emigration; but as a testament to the spirit and the wonder of the Yemenite saga, it has a classic quality that should insure its survival.

The Israeli radio sent Mr. Barer to Camp Hashed—the Aden reception center where the Joint Distribution Committee was presiding over the transportation of an entire people from the 12th century into the 20th century—to capture on tape the speech, music, and ritual of this antique, hermetically sealed "lost tribe" for broadcast by Kol Israel. Privately, Barer set himself to fathom the mysteries of the Yemenites' survival during a millennium or more of isolation; their miraculous release from the grasp of Yemen's tyrannical Imam; and their spontaneous, instinctive response when word trickled through to a hundred remote places in a land of darkness that the Promise had at last been fulfilled and Israel was summoning them "home."

Barer's jumbled, kaleidoscopic notes of on-the-spot inquiries and conversations grew more intelligible when he went on to read the chronicles of the rare Europeans who had penetrated portions of Yemen in previous times—notably Hugh Scott, who headed a British expedition in 1937 hunting Yemenite plants and insects, and Joseph Halévy, a French Orientalist, the record of whose search eighty years ago for relics of the kingdom of Sheba had been scratched in pencil on scraps of paper two decades later by his local Jewish guide, a copperplate engraver named Hayim Habashush, and unearthed shortly before World War II in the Vienna Museum. Later investigations in Israeli and London archives rounded off Barer's research.

AN absurdly patronizing review in a leading newspaper literary supplement, which came to me before the book itself, had left me unprepared for the high level of Mr. Barer's report. One may cavil mildly at the mixture of diary, direct reporting, and historical survey, but he has blended his original and secondary materials into a beautiful coat of many colors.

The now familiar story of the Yemenites' bewilderment with the modern world, and of the problems of regulating their confusion, is expertly retold: how the men had to be taught "the technology of putting on a pair of pants"; how the women would shy away from the maternity ward until *after* the childbirth; how, even after months in Israel, a Yemenite swain still needed to be restrained from choosing and purchasing a twelve-year-old bride, having to "console himself with a girl of seventeen or eighteen, who also costs less." If there is any flaw in Barer's study, it is a tendency—faint, carefully qualified, but nevertheless visible—to be over-optimistic about the speed of Yemenite cultural absorption into the Israeli pattern. He draws too ideal a picture of a model immigrant, Saadya ben Abraham Hadadi, late of Dhamar in the medieval Yemen, tricked out in a green beret, white shirt, and brick-red cotton trousers from the Jewish Agency supply depot, happily manipulating a pneumatic drill on a rocky hillside above Jerusalem. Saadya—and his wife, though she has learned how to stand in line at the cooperative grocery, and even his children, who have pencils, erasers, and toys but not an adequate schoolroom—are going to take longer to understand the new magic around them than Barer suggests. And in the process of integration they—like the hundreds of thousands of newcomers from Bagdad, the Kurdish mountains, the North African *mellah*, or the Persian hinterland—will also be making their impact on Israel's European civilization, a reverse cultural trend which Barer does not even con-

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template but which is already harassing the slumbers of Israeli educators and sociologists.

AGAINST the values and tribulations of the dismal centuries from which they emerged, however, the Yemenites have truly heroic stature, and Barer gives them no more than deserved tribute. He traces their path from the mythology pre-dating the First Temple's destruction to the earliest historical evidence of their separate identity in the 3rd Christian century as an independent tribe, artisans of gold, silver, and pottery, living in equality with pagan clans, superior to their neighbors in culture and their match in war. Some Arab notables even adopted Judaism; in the early 6th century a Yemenite ruler of Himyar, successor to the realm of Sheba, became a Jew, combated the invading Christian Abyssinians, and then chose a king's death in defeat by leaping with his horse into the sea. There was a final martial burst when, according to legend, the Jews fought as allies of Mohammed, violating their Sabbath to continue the battle till victory, for which the grateful Prophet granted them perpetual immunity from persecution. (Even in 1950 there came to Hashed from Habban, in the wild Hadhramaut, taller and prouder in visage than the Yemenites, sporting daggers and brightly colored robes, a warlike Jewish sect which until two generations ago had served the sultans as a desert frontier force.) But in Yemen itself night fell over Jewry with the final triumph of Islam, and old debts and traditions of comradeship in arms were forgotten. Gradually the Jews descended to a status of fourth-class citizenship, ultimately legalized by Imam Yahya in 1906 by an infamous edict crushing them with taxes and all manner of degradations.

Yet, though despised and oppressed, Yemen's Jews within their congested ghettos persevered magnificently in private cleanliness and inner serenity, cherishing their piety and their dreams of redemption. Throughout the ages, their golden spiritual links with the Holy Land gleamed sporadically but never faded. For three hundred and fifty years there were only four recorded cases of emigration; from 1880 onward, fitful treks toward Jerusalem gathered only a few thousand at a time; when the final omen of salvation came with Israel's birth, the rest were ready. They journeyed forth in one great, convulsive but majestic sweep which nearly overwhelmed the meager facilities for their reception. Barer writes of all this with feeling and artistry. But nowhere do the agony and the hope of the "ingathering" find purer expression than in the mouths of the wanderers themselves, particularly of one participant whose Scriptural imagery and grandeur compel at least a few lines of quotation here to give some savor of the passionate faith:

"And upon a day," this unnamed seer writes, "came a letter saying: 'Arise brothers, and arouse yourselves. The proper hour has come. . . . Surmount the suffering of the way. . . . Dare to go up at once, and do not leave behind you the ancient culture in writing and garb. . . .' We sold our houses . . . we left our synagogues . . . and we prepared ourselves for the way dry cakes and boiled butter and dried meat and spices and coffee. . . . And the boundary was closed to passage because of the multitude of people. . . . And the stress of hunger prevailed, and there was no bread for our mouth, and the heart sorrowed for the infants. . . . And many were seized with trembling of the body as though with fever, and yet they walked with us. . . . And there were women near to give birth, and they were on donkeys, and they gave birth while they were riding and we fulfilled the commandments as was proper, and the woman and child were on the donkey. . . . And companies came from all the ends of the Yemen. . . . And thus we came to Aden as long as there was breath in our nostrils, bruised and robbed, weary and bereft of everything. . . . And they gathered us into the great camp which was near the city, and it was on the sands of the desert . . . and we lay in large numbers under the bare sky, next to one another, each family together, and mighty sandstorms raged about us, and in our heart was a prayer for *aliya*, to fly on eagle's wings to our country. And we went up."

ONCE in a great while, a book comes along which another writer feels *he* might have written—though perhaps not half as well—and he chides himself unhappily for not having tried. In the early summer of 1949, when the exodus from Yemen was still an Israeli military secret, this reviewer was spirited from Lydda Airport 1600 miles south to the British Crown colony of Aden for an open-mouthed look at "Operation Magic Carpet." Publicity might have jolted certain delicate and bizarre arrangements with native sultans and the government of Arab Yemen—which, though ostensibly at war with Israel, was occultly thumbing its nose at the

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rest of the Arab League and allowing its 50,000 Jews to depart for "enemy" soil. Consequently I wrote nothing after returning with a Biblical planeload of 130 ecstatic Yemenites to the land where "a new king named David" reigned. Because of fidelity to a security pledge, the story stayed bottled even when I had left Israel and the Tel Aviv censorship behind. In time the bottle slipped to a back shelf inside of me and was forgotten. It was not until months later, in the late fall, that another American correspondent "leaked" the news—to the anguished mortification of Israeli authorities and press. Thereafter, of course, reporters could not be restrained from descending on Aden like locusts.

So my own story never got itself told. But Shlomo Barer has put it down better than any of us who might have written about it, or any who did.

Where's the Pyetroushka?

THE COMPLETE AMERICAN-JEWISH COOKBOOK. By ANNE LONDON and BERTHA KAHN BISHOV. World. 623 pp. $4.95.

Reviewed by RUTH GLAZER

IN 1941 the *Jewish Cook Book* was first published and for nearly a decade it monopolized the American market as the only complete volume of its kind. Its tone was a combination of stern injunction and earnest exhortation, and it was addressed to that young bride or matron who had had the misfortune to be born with something less than perfect knowledge of how to make *kasha varnishkas*. It was a sober book and a sound one. Something of its flavor may be sampled from the following passage which concludes the introduction:

> In conducting a kosher kitchen care must be taken not to mix meat and milk, or meat and butter at the same meal.
>
> The utensils used in the cooking and serving of meat dishes may not be used for milk dishes. They should never be mixed.
>
> To follow the spirit as well as the letter of the dietary laws, scrupulous cleanliness should always be observed in the storing, handling, and serving of food.
>
> It is very necessary to keep the hands clean, the flours and cereals clean, the ice-box clean, and the pots and pans clean.

The Complete American-Jewish Cookbook (a new book, unrelated to the earlier volume) takes a tone of cautious reasonableness in these matters, and sheltered behind the coattails of historicity and objectivity explains why the non-observant Jew has found it unnecessary to burden himself with the commandments on *kashrut* since the invention of non-porous cooking and eating utensils—not to mention government-inspected slaughtering—has taken care of the sanitary concerns of our sages. The description of the rules for maintaining a kosher house are presented carefully and distantly:

> Orthodox Jews must of necessity have at least two sets of dishes, utensils, and tableware, because meat and milk products may not be prepared or served in the same pots or dishes. Dairy products may not be served on a dish which contained meat, or vice versa. In fact, some Orthodox Jews will not eat at a table where meat and milk products are served simultaneously. It is believed that the restrictions on the utensils originated at a time when porous metals, unglazed porcelain, and wooden bowls were used. Glass was usually exempted from this prohibition. The prohibition is still regarded as prevailing, although non-porous utensils are now in general use.

ONCE past these thickets, however, the authors enter with enthusiasm on their task, and have produced a first-rate cook book, so complete and varied that the omission of such staples of the American diet as pork products and sea food is hardly noticeable. Leaning heavily on chicken fat as a substitute for butter, the writers have managed to adapt an amazing collection of American, Continental, and even international recipes. And just as the advance publicity gave us to understand, there are verily recipes for Egg Foo Yong and Boo Loo Gai.

In its style the book reflects the current fashions in American cooking, both good and bad. At its best it includes simplifications of dishes out of the *haute cuisine*, and emphasizes the specialties of regional and national cooking. At its worst it offers, for example, a horror titled "Menorah Salad"—a representation of a candlestick done in fruit and vegetables. This type of imitation cooking which calls forth great pains to produce something visually questionable and gastronomically inedible sadly lowers the generally high level of the book.

While it does not speak with the culinary authority of a de Gouy or a Diat, or even with

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the overtones of elegance suggested by Rombauer, it will be a useful guide for beginners cooking in the Jewish tradition, and of interest even to experienced cooks who wish to develop their repertoire of Jewish recipes. In this ticklish field, it may be reported, the authors take no sides and all known variants of traditional delicacies are included.

Arranged in alphabetical categories, the book covers every aspect of cooking from appetizers through to that disheartening appendix responsible authors find it necessary to include: "Controlling Weight and a Calorie Table." The appetizer section deserves a round of applause for the thousands of suggestions and recipes for canapés and *hors d'oeuvres* in its fifteen pages. It bears out, perhaps, the widely held opinion that the Jews are more of an eating than a drinking people, even when confronted with the two possibilities simultaneously.

The bread and cake section, which runs to over one hundred pages, includes excellent information on the chemical interaction of the major ingredients used in baking and explanations of the common causes of cake failure. The additional thirty pages devoted to pies and pastries list nineteen different recipes for strudel. There is even a recipe for making rolled strudel dough, presumably for cowards afraid to try the time-honored method of stretching the dough to transparent thinness on a table cloth. "You should be able to read a newspaper through it," says tradition.

One of the most vexatious problems to the kosher housewife cooking in the American tradition is that of desserts. Jewish cooking of a generation ago was based largely on heavy soups and rich, gravied meats. Even the much maligned boiled chicken was customarily accompanied by potatoes mashed with vast quantities of chicken fat and, as our authors put it, cracklings. For these cooks, desserts were a matter of no concern; some stewed fruit or applesauce, accompanied on festive occasions with sponge cake or honey cake, was as much as anyone wanted. As they often said: "What is the purpose of dessert, after all? It's just something to help you digest your meal." But American-style meals which frequently dispense with the soup course put a greater responsibility on the dessert course. The authors of the *American-Jewish Cookbook* have handled this problem admirably with a fine section of the book thirteen pages long devoted to fruit desserts, and have also included many interesting butter-type cakes that require neither butter nor milk, using instead vegetable shortening and fruit juices, wine, honey, or coffee for the liquid.

In the sections devoted to meat and poultry, the fact that the authors are restricted only to the forequarters of beef, veal, and lamb does not noticeably affect the number of recipes they offer. There are, for example, no less than eleven pages of chicken recipes, a vast variety of beef stews, and many variations on beef and veal pot roasts. Humble chopped meat comes off grandly with a whole division of recipes drawn from Rumania, Mexico, Syria, Greece, Turkey, Germany, Armenia, and Russia. Indeed, the key to the great variety the authors offer lies in their reliance on regional and national dishes.

The book has the further virtue of being splendidly illustrated with over 200 black and white and colored photographs. Many of them seem to have been included because the plates were easily available, and although pretty enough to look at are of no real interest, e.g., a meaningless fragment of a table setting titled "Buffet Table Setting," but actually a reproduction of what might be an advertisement for Dirilyte tableware. Others illustrating step by step methods of preparing foods will be much appreciated.

A special Passover section, a number of interesting how-to-do-it appendices, several pages of diagrams on carving, and an odd "Glossary of Special Yiddish Terms" which left your reviewer quite bemused, round out the volume. This last list, in the words of the authors, "includes an explanation of the Jewish calendar, all major holidays, and traditional foods for the holidays, as well as general names for popular dishes and related terms." Now, as any dictionary reader knows, the alphabet makes strange bedfellows, but the jostling in this small collection of 160 words of the most sacred and the most profane becomes almost unmannerly. Bagel, for example, interrupts the stately sequence of *b'dikas kametz, bentshen,* and *ben zochor,* which runs up short against *beryah.*

If the truth may be told, however, the authors have failed us sadly in the soup section. A meager nine pages! One looks in vain for old favorites like barley and mushroom soup made with dried mushrooms, lung and farfel soup, or gruenkern soup, or onion soup.

Finally I would like to take the authors to

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one side and have a word with them about their chicken soup. Ladies, what's this I read about using three quarts of water to cook one hapless bird? And a fowl at that! I have yet to hear a chicken buyer in a kosher poultry market lower herself by asking for anything less dainty than a pullet. But be that as it may, are you making soup for men or broth for invalids? Come, come, mesdames, surely you didn't learn this peeking into your mothers' cooking pots.

And then I don't seem to recognize your soup greens. Do you stop after carrots, celery, two sprigs of parsley, and one small bay leaf? I do not even mention the yellow turnip, the dill, the parsnip, or the leeks. Where, I ask you, is the *pyetroushka*—the parsley root—practically the mandrake root of the Jewish housewife? This is not the soup, Mesdames Authors, that a generation fought over. Where, I repeat, is the *pyetroushka?*

I leave it to your consciences to answer.

Image Without Idea

THE BUILD-UP. By WILLIAM CARLOS WILLIAMS. Random House. 335 pp. $3.50.

Reviewed by OLIVER SNYDER

DR. WILLIAMS' novels are rarely mentioned in either private or public discussions of American writing; after an ephemeral appearance in the book reviews at the time of their publication, they have usually dropped into that graveyard of silence which is the fate of failures. His latest novel will do little to change all this: *The Build-Up* is another letdown.

Like *White Mule* and *In the Money,* to which it is the sequel, *The Build-Up* is a chronicle of the life and times of a typical immigrant family in America around the turn of the century. The historical reminders in *The Build-Up*—which appear, rather gratuitously, for the first time in this volume ("It was a bad time for males [babies] at the beginning of the century" and "These were Gurlie's best years . . . from 1907 to 1917 . . . .")—make it obvious that he is now self-consciously trying to define what has gone into the making of America and Americans. For his representative new Americans he has characteristically reached down to the lowest common denominator and chosen commonplace parents, Gurlie (of Norwegian

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origin) and Joe Stecher (of German origin), and their two even more banal daughters, Lottie and Flossie. One cannot really quarrel with Dr. Williams' choices (though one may suspect that they were dictated by the dubious belief that the "common people" are automatically closer to "reality"); what is important is how fully his characters embody the central experiences of immigrants and their children: the strong sense of family, the search for status, the conflict of old and new cultures.

In the past, such themes have been at the center of many great novels. But now, passing through Dr. Williams' mind and molded by his glassy style, they have become quick-frozen, attenuated, and purified. Take, for example, the book's main concern, Gurlie's ambition to be accepted in the town's best society: in short breathless episodes, she announces her decision to her husband, joins the Literary Club, organizes a successful musicale for the church, is accepted into the Town Improvement Association, impresses one of the oldest and most respected natives by her moral courage in telling off the Catholic priest (she even wins *his* admiration), and becomes finally a member of the best club in town. This meteoric progress is achieved with a minimum of effort, against scarcely noticeable resistance. Once or twice someone comments on her crudity, and an envious neighbor does send her a malicious valentine, but by and large her easy success seems almost ludicrous alongside what is called her "blind drive" and her "mad dream."

Facile social triumphs may be a uniquely American experience—although I doubt it—but they cannot be adequately presented in such a rarefied social atmosphere as we find here. The rich texture of society as successfully presented by novelists is woven out of different strands of class and culture. And although much is made of Gurlie's Norwegian and Joe's German background, the reader rarely sees their cultural attitudes acting upon or reacting to the old American ones. The social classes that Gurlie romps through in her race to the top are virtually indistinguishable from one another. And the almost total lack of distinctive manners and morals in the people she meets empties scene after scene of any possible reverberations. (At one point Dr. Williams abdicates completely and calls the faceless clubwomen "Mrs. A," "Mrs. B," "Mrs. C.") There are no hints in this book of the strains and tensions of social climbing; hardly any indication of the necessity of learning new criteria, new catchwords, new habits—or of the difficulty of abandoning old ones. All those hundreds of things—the buzz and hum of a society rejecting and accepting newcomers—about which Howells, James, and Edith Wharton wrote so brilliantly are here slighted. Indeed, only in the shadowy world of *The Build-Up* could Gurlie possibly realize her "mad dream."

Mingled among the episodes of Gurlie's progress is the secondary theme: typical adventures in the growth and maturity of her children. As portrayals of children of immigrant parentage, these girls are totally unsuccessful. Dr. Williams is careful to point out that Lottie and Flossie are aware of their foreignness and are thus bound to have their experiences colored by it, but there is scarcely any mention of this essential factor again, much less any exploitation of it. Dr. Williams is also aware that such a feeling of estrangement makes for strong family ties, but again this is mere lip service. For this family as he actually portrays it is noteworthy for the lack of family sentiment rather than for its abundance: in the whole novel Flossie and Lottie do not exchange more than a page of dialogue with each other; after page 25 they do not even share a minor scene; Gurlie's attitude toward her daughters can be summed up as affectionate sufferance—a far cry from maternal fervor—and her regard for her son Paul is mainly as the redeemer of her ancestral farm; Joe, it is true, does seem to be involved with his children, but even this is played down—"Another would have leaned down and kissed her out of an inner satisfaction and gaiety . . . but he merely took her little shovel. . . ."

If, however, we forget the main intention of the novel and regard only those early chapters about the children in which they are still discovering the world, then we find Dr. Williams' real virtues, and I, for one, do not regret that he seems also to have forgotten his intention. For his ability to recapture the fresh sensations and the speech of a child is a rare one. And nowhere else do his famed ear for dialogue, his simplicity and directness, serve to such good purpose. The excitement of moving to a new house, the affection for a cat, the incomprehensibility of older people, the feel of rain—when seen through the consciousness of a child, these take on new beauty and glory. But, as Wordsworth knew, the older children become, the less they are able to retain this vision, and

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Flossie and Lottie, alas, harden and grow old too quickly.

Many of the deficiencies, as well as some of the virtues, of *The Build-Up* stem from Dr. Williams' theory of art, which can be summed up by a statement he once made that ". . . all art is necessarily objective. It doesn't declaim or explain; it presents." The implications of this Imagist principle led many of its followers, including Dr. Williams, to a contempt for ideas and to a magical belief in the power of words and things. Whatever the success of this principle and its implications in other works of art, it is clear that *The Build-Up* suffers precisely from a lack of ideas, either explicit or implicit. And by ideas I do not necessarily mean abstract formulations but what Lionel Trilling calls literary ideas—an appeal to our minds that stimulates both thinking and feeling. Despite the sharp, hard prose, despite the acutely caught dialogue, and despite the sensitive perceptions of childhood, *The Build-Up* remains for the most part a pile of frozen Images among which the reader is left to rummage for himself, with little guidance from the artist. It would help if Dr. Williams were more willing to "explain."

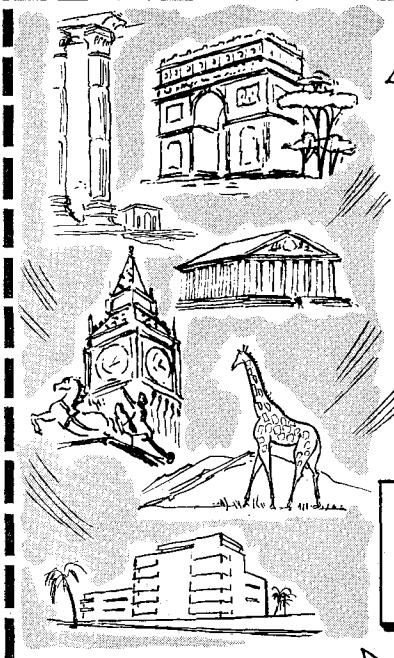
On a Hazardous Frontier

PIONEER'S PROGRESS: AN AUTOBIOGRAPHY. By ALVIN JOHNSON. Viking. 413 pp. $5.00.

Reviewed by EVERETT C. HUGHES

"I AM no prophet but an American extrovert addicted to the notion that an idea is fertile only when married to action."

It is a good thing it was COMMENTARY, and not one of the academic journals, that asked me to comment on this lively story which the more-or-less-retired president of the New School has written about his activities up to now. For neither this prairie-bred son of a Dane (classicist, economist, journalist, editor, adult educator, promoter, reformer) nor his book fits any of the conventional categories of the academic profession. The book is not a monograph, or a treatise, or a textbook, or a research memoir, or a methodological essay; it is that highly unscientific thing, a man's record of his own life. I must warn my students against it.



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If some of them, or some COMMENTARY readers who are not officially students—and I am afraid Alvin Johnson likes best the unofficial students, those deep in the "curriculum of life"—do read *Pioneer's Progress,* they will be in for it. It is a sort of chain reaction book. The author touches upon so many facets of American life, sketches vividly so many personages, and recounts dramatic scenes from so many social movements of the past fifty years, that the readers will be compelled to find out more, and thus will be led astray from their assigned reading.

Among the causes which this man helped turn into movements were land reclamation, rescue of scholars from destruction (by Hitler, Mussolini, and the Communists), peace, and racial justice. But adult education is his great consuming passion. Of this the New School for Social Research, whose founding president he was, is living testimony. It would make him sad if it were ever to become, as enterprises founded to further great causes so often do, a *monument* to his efforts. But it is false to separate adult education from his other causes. To Alvin Johnson, all causes—racial justice, peace, better farming and better health, what have you—are one with adult education. One learns by reading, by observing, by arguing, by acting, by interacting with other people. His chapter on anti-discrimination—the story of action and law on this matter in New York—is told as the story of his own political education; at the end of it, he demands of Fate that he be allowed to live to a hundred, "to finish my education creditably." Every movement he participates in, every cause he fights for, is presented as the occasion of learning something about human society. I think he would subscribe to the statement that democracy is essentially an educational process for all concerned; and that when education is confined to certain groups, to certain periods of life, to certain subjects, then has democracy been violated.

And perhaps this is the important thing about the man; he would not be confined. He was in his youth too enterprising to become the kind of economist who spends his life elaborating the conventional theories of enterprise. His father left Denmark to become a pioneer in several Western states. The son—and his brothers—turned the farm into an enterprise to serve the cause of their education. After a successful turn at the classics, Alvin Johnson turned to economics, which was to be his instrument for understanding and improving America. After studying at Columbia under the new men of the 90's, who had brought back from Germany the notion of graduate study and research, he undertook one teaching, writing, and research project after another. He had a go at half a dozen universities in the space of a few years: Nebraska, Texas, Chicago, Stanford, Cornell. Each appeared to him in turn as just the place to do something new and important; he seems to have left each without rancor, to start something still more new and important. Before long he was back in New York editing the *Encyclopaedia of the Social Sciences* and taking a leading part in the organization of what came to be his main enterprise, the New School. And it is in the story of the New School that we learn what the man Johnson really is. It is not enough for him to say that he is an American extrovert. He is an entrepreneur. And, you theorists, get ready to have to change your categories. This man is strictly a *public* entrepreneur.

Ad multos annos.

Nazi Business—and American

THE DEVIL'S CHEMISTS. By JOSIAH E. DUBOIS, JR. In collaboration with EDWARD JOHNSON. Beacon Press. 369 pp. $3.75.

Reviewed by R. F. TANNENBAUM

NORMALLY, business is business, but in Hitler's abnormal Reich, business was murder. Five years ago the directors of the I. G. Farben-Industrie, the huge vertical trust that dominated the chemical industry of Europe between the wars, were arraigned before an American military tribunal at Nuremberg as the first industrial war-criminals in history. Now the chief prosecutor at their trial has written a report of the case that offers an astonishing picture of the deadly operations during the Nazi era of this greatest of all German cartels. The relevant volumes of the official Nuremberg proceedings have yet to appear, and Mr. DuBois' revelations are consequently both new and shocking; unfortunately, they are something less than objective.

"I had good reason to know," writes Mr. DuBois, "that Farben was the Machiavellian

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planner for all institutions in the world that had allied themselves with military aggression." And throughout his book, his presumption of the defendants' responsibility, not only for the offenses in the indictment, but for every major political ill of the last twenty years, is much in evidence.

The Nuremberg court acquitted I. G. Farben of the charge of planning and waging aggressive war; to Mr. DuBois, this smacks of political naivety and opportunism, but the issue is not quite that clear-cut. That Hitler and his immediate advisors were barefaced international bandits, no sane man can doubt. That the men who were under their orders to plan and produce for war were equally responsible, is not so indisputable. Some rather important practical consequences are involved. If the manufacture of war materials *per se* were to be treated as a punishable crime we could hardly expect our own arms-makers to put their hearts in their work. Mr. DuBois would draw a simple distinction: armament in the service of aggression is criminal; in the service of the state only, patriotic.

Very probably, as the author shows, the Farben directorate well knew that the weapons they made were to be used for unprovoked attack. But their excuse lies in the paranoid patriotism of the German nationalist, to whom attack has always equaled self-defense. In this sense they are no more guilty than the average German who worked in a war industry after September 1939. And, like that average German, they might ask of their judges what else they were to do. Refuse to produce? In a police state?

On the other hand, the I. G. Farben directors not only did not refuse to produce, but insisted, against strenuous official opposition, on producing far more than they were asked for. Before 1939 they continually raised their own production quotas on the plea of Germany's future war needs. And when the war did come, they welcomed it as a golden opportunity to bring the chemical industry of a whole continent under their corporate thumb. If Farben's leaders did not start World War II, they certainly made a colossal fortune out of it.

YET this book's evidence just does not show that Hitler made war simply for Farben's profit. Hitler made war for his own "good" reasons, like the megalomaniac he was. On another point, however, DuBois' facts are damning. Farben built a huge ersatz rubber and gasoline factory at Auschwitz. Hundreds of thousands of prisoners, including children no more than eight years old, were *bought* from the SS by Farben to labor in the construction of this plant; they were worked up to twenty hours a day, fed hardly at all, beaten with a ferocity which led even the SS officers to protest to Berlin, and then, when exhausted or sick, consigned to Birkenau to be asphyxiated with Farben-made Zyklon-B gas, and cremated in ovens fired by Farben-made methanol. Other prisoners at Auschwitz were subjected to experiments with untested Farben-made drugs; these experiments, often fatal, were demonstrably ordered by Farben director Hoerlein. The responsibility of other directors, who visited Auschwitz on tours of inspection, is clear as a summer's day.

The judges of American Military Tribunal VI saw fit to deal lightly with these men; the highest sentence meted out was eight years, and Dr. Hoerlein, among others, went scot-free. Here one can only agree with the author that injustice was done at Nuremberg. Injustice was done to the innocent, to the victims—to whom we grow more unjust daily. We are quick to forgive in our eagerness to forget. But such les-

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sons are ill forgotten, particularly before they are well understood. For the victims of "I.G. Auschwitz" were not only the victims of hatred, but also of greed.

Business is business, which implies that business is not morality. To I. G. Farben, the single-minded pursuit of getting and spending meant an economic syllogism whose conclusion lay in the ovens of Birkenau. To the Krupp trust, and other German firms that had slave factories at Auschwitz, it meant substantially the same thing. To the Ford Motor Company, to come closer to home, it meant that the Ford plant in France was encouraged by headquarters at Dearborn to keep on producing trucks for the Wehrmacht when Germany and America were already at war (DuBois, pp. 248-251). One might now jump to some sort of general conclusion about capitalism and morality—but one would be quite wrong. Ford is not Farben, and America is not Germany. In this country the shady deal is not exactly unknown, but the purchase and murder of slaves is. How are we to explain this?

THE purest business ideal is the attainment, not merely of a profit, but of the highest profit for the lowest investment, whether in America or Germany. Such an ideal, carried out to its logical inhumanity, is essentially amoral. To be sure, in the pursuit of this aim, the businessman is restrained by the law, by his position in society, and by his individual conscience. But none of these considerations is intrinsic to the business conscience *per se*; how, then, are we justified in saying there is significantly more conscience in the American businessman than in the German? Moreover, is it not known that, in America, businessmen are the lords of creation, whereas in Germany they were very humble hangers-on in a military aristocracy? This being the case, in America, business amorality should run hog-wild. But this is to miss the point, which is historical and not economic.

German industry was created by the *fiat* of the Bismarckian state, made to order for the diplomatic and military uses of the Reich, and, accordingly, the German businessman has always been the conscious subordinate of his military and political leaders. American industry was created by the competitive efforts of American businessmen; the state had precious little to do with the industrialization of America. For this reason, business in America has always been more independent, and indeed it has often been antagonistic to government, now trying to dictate to it, now only grudgingly accepting supervision in the public interest. The state, in the American democracy, represents the public interest. In Germany the state has, except for fifteen years in her modern history, been the authoritarian representative of the military interest, and business has been the business of preparing for war. Thus German law encouraged cartels, and the public be damned. Thyssen and his associates, who included the I. G. Farben board, hoped to rescue the good old authoritarian state from the evils of democracy by supporting Hitler, and the "Fuehrer" obliged them by establishing an economy which was military both in organization and in aim.

Once Nazism had removed all moral restraints in the political sphere, the way was clear for the abandonment of every vestige of moral restraint in the economic one. Under the Nazis no moral prescription could be allowed to interfere with the titanic task of building for war, and, in the ancient German game of follow-the-leader, business became as amoral as the state. German rearmament and Jewish slave labor alike, contrary to Mr. DuBois' belief, were the result of the domination of business by the state, and not of the state by business. It is true that business is business, but it is more to the point, in the case of Germany, that absolute power corrupts absolutely.

BOOK REVIEWERS IN THIS ISSUE

The most recent of HAL LEHRMAN's many contributions to COMMENTARY was his article "The Arabs, Israel, and Near East Defense," published last month.

RUTH GLAZER is an unofficial expert on Jewish manners and morals, and an excellent cook. Her essay on "The Jewish Delicatessen," published in COMMENTARY in March 1946, remains the authoritative work in its field.

OLIVER SNYDER has studied English literature at Columbia University, and is a member of the staff of the American Jewish Committee.

EVERETT C. HUGHES is professor of sociology at the University of Chicago and editor of the *American Journal of Sociology*.

R. F. TANNENBAUM is a free-lance journalist who writes on political subjects.

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This *I Believe*

By Judge Learned Hand*

"I believe that that community is already in process of dissolution where each man begins to eye his neighbor as a possible enemy, where nonconformity with the accepted creed, political as well as religious, is a mark of disaffection; where denunciation, without specification or backing, takes the place of evidence; where orthodoxy chokes freedom of dissent; where faith in the eventual supremacy of reason has become so timid that we dare not enter our convictions in the open lists to win or lose. Such fears as these are a solvent which can eat out the cement that binds the stones together; they may in the end subject us to despotism as evil as any that we dread; and they can be allayed only in so far as we refuse to proceed on suspicion, and trust one another until we have tangible ground for misgiving.

"The mutual confidence on which all else depends can be maintained only by an open mind and a brave reliance upon free discussion. I do not say that these will suffice; who knows but we may be on a slope which leads down to aboriginal savagery. But of this I am sure: if we are to escape, we must not yield a foot upon demanding a fair field, and an honest race, to all ideas. 'Blame not before thou hast examined; understand first and then rebuke. Answer not before thou has heard; interrupt not in the midst of speech.' Those words were written nearly 2000 years ago; they came out of an experience already long, and refined in the fires of passion and conflict; they are the product of a wisdom bought by ages of bitter trial; and by that wisdom alone shall we be saved, we, who boast ourselves to be the apostles of a faith in the eventual triumph of wisdom."

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J. M. Kaplan, President

*from "The Future of Wisdom in America"
The Saturday Review, November 22, 1952

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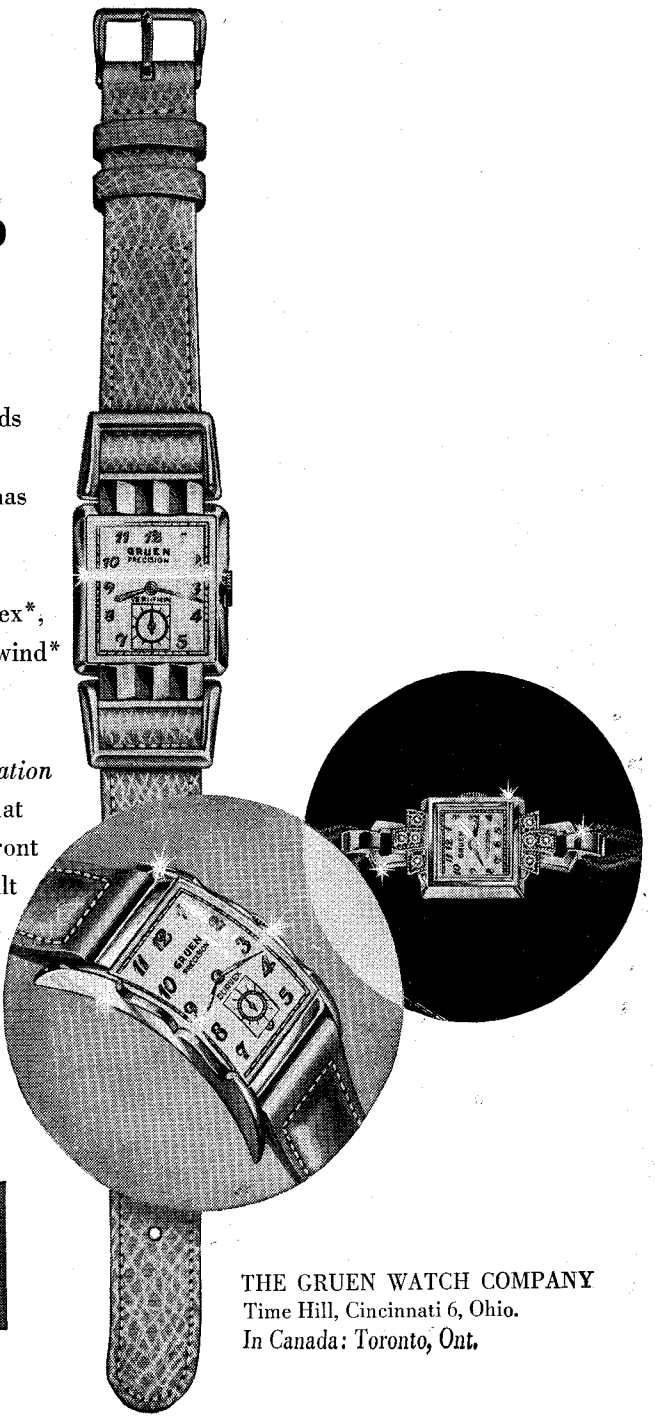

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